

APPEAL, LEAD, MDL 2406, PROTECTIVE ORDER

U.S. District Court
Northern District of Alabama (Southern)
CIVIL DOCKET FOR CASE #: 2:13-cv-20000-RDP
Internal Use Only

In Re Blue Cross Blue Shield Antitrust Litigation MDL 2406
Assigned to: Judge R David Proctor
Case in other court: MDL 2406
Cause: 28:1331 Fed. Question

Date Filed: 01/08/2013
Jury Demand: Both
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

In Re

**Blue Cross Blue Shield Antitrust
Litigation MDL 2406**

represented by **Lauren R Kennedy**
CRAVATH SWAINE & MOORE LLP
825 8th Avenue
New York, NY 10019
212-474-1000
Fax: 212-474-3700
Email: lkennedy@cravath.com
ATTORNEY TO BE NOTICED

M Patrick McDowell
BRUNINI GRANTHAM GROWER &
HEWES PLLC
Fifth Third Center, Ste. 20000
424 Church Street
Nashville, TN
615-651-7447
Email: pmcdowell@brunini.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Terri Olive Tompkins
ROSEN HARDWOOD
2200 Jack Warner Parkway, Suite 200
Tuscaloosa, AL 35401
205-344-5000
Fax: 205-758-8358
Email: ttompkins@rosenharwood.com
ATTORNEY TO BE NOTICED

Winnifred Lewis
CRAVATH SWAINE & MOORE LLP
825 Eighth Avenue
New York, NY 10019
212-474-1000
Email: wlewis@cravath.com
TERMINATED: 07/11/2019
ATTORNEY TO BE NOTICED

Special Master

Special Master

represented by **Edgar C Gentle , III**
Gentle Turner Sexton & Harbison
501 Riverchase Parkway East, Suite 100
Hoover, AL 35244
United Sta
205-716-3000
Fax: 205-716-3010
Email: egentle@gtandslaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Plaintiffs' Counsel

represented by **Alan McQuarrie Mansfield**
WHATLEY KALLAS, LLP
16870 W. Bernardo Dr.
Suite 400
San Diego, CA 92127
858-674-6641
Fax: 855-274-1888
Email: amansfield@whatleykallas.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alicia L Shelton
DOJ-USA
36 S. Charles Street
Fourth Floor
Baltimore, MD 21201
410-209-4836
Email: alicia.shelton2@usdoj.gov
TERMINATED: 05/11/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Anjori Mitra
Calcaterra Pollack LLP
1140 Avenue of the Americas
9th Floor
New York, NY 10036
917-340-7166
Email: amitra@calcaterrapollack.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David S Stone
STONE & MAGNANINI LLP
100 Connell Drive, Suite 2200
Berkeley Heights, NJ 07922
973-218-1111
Fax: 973-218-1106
Email: Dstone@stonemagnalaw.com

LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Davis Cooper
COOPER & KIRK PLLC
1523 New Hampshire Avenue, N.W.
Washington, DC 20036
202-220-9600
Fax: 202-220-9601
Email: pdcooper@cooperkirk.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Harold S Reeves
COOPER & KIRK PLLC
1523 New Hampshire Avenue, N.W.
Washington, DC 20036
202-220-9600
Fax: 202-220-9601
Email: hreeves@cooperkirk.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Helen Lynne Eckinger
Waller Lansden Dortch & Davis LLP
1901 6th Avenue North
Birmingham, AL 35203
205-226-5708
Fax: 205-214-7342
Email: helen.eckinger@wallerlaw.com
LEAD ATTORNEY

Howard C Nielson , Jr
COOPER & KIRK PLLC
1523 New Hampshire Avenue, N.W.
Washington, DC 20036
202-220-9600
Fax: 202-220-9601
Email: hnielson@cooperkirk.com
TERMINATED: 05/29/2019
LEAD ATTORNEY

Irving Scher
HAUSFELD LLP
33 Whitehall Street
14th Floor
New York, NY 10004
646-357-1100
Fax: 212-202-4322
Email: ischer@hausfeld.com
LEAD ATTORNEY

PRO HAC VICE
ATTORNEY TO BE NOTICED

Joseph H Webster
CHAPMAN LEWIS & SWAN PLLC
501 First Street
Clarksdale, MS 38614
662-627-4105
Fax: 662-621-2538
Email: harland@chapman-lewis-swan.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kara Marie Simons
WANDRO & ASSOCIATES, P.C.
2501 GRAND AVE
SUITE B
DES MOINES, IA 50312
515-281-1475
Fax: 515-281-1474
Email: ksimons@2501grand.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kimberly Ann Fetsick
HAUSFELD LLP
33 Whitehall Street, Floor 14
New York, NY 10004
646-357-1100
Email: kfetsick@hausfeld.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Megan Jones
HAUSFELD LLP
1700 K Street, Nw
Washington, DC 20006
415-744-1951
Fax: 415-358-4980
Email: mjones@hausfelldllp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Kirk
COOPER & KIRK, PLLC
1523 New Hampshire Avenue, NW
Washington, DC 20036
202-220-9600
Fax: 202-220-9601
Email: mkirk@cooperkirk.com
LEAD ATTORNEY

PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael L Murphy
BAILEY AND GLASSER, LLP
1055 Thomas Jefferson Street, NW
Washington, DC 20007
202-463-2101
Fax: 202-463-2103
Email: mmurphy@baileyglasser.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Patricia Melville
BOIES SCHILLER FLEXNER, LLP
100 SE 2nd Street – Suite 2800
Miami, FL 33131
305-539-8400
Fax: 305-539-1307
Email: pmelville@bsfllp.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Regina Marie Calcaterra
Calcaterra Pollack LLP
1140 Avenue of the Americas
9th Floor
New York, NY 10036-5803
212-899-1766
Email: rcalcaterra@calcaterrapollack.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard A Feinstein
BOIES SCHILLER & FLEXNER LLP
5301 Wisconsin Ave., NW
Washington, DC 20015
202-237-2727
Fax: 202-237-6131
Email: RFeinstein@BSFLLP.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sallie E Gilbert
BAILEY & GLASSER LLP
1055 Thomas Jefferson NW, Suite 540
Washington, DC 20007
202-463-2101
Fax: 202-463-2103
Email: sgilbert@baileyglasser.com

TERMINATED: 09/27/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stephen B Murray , Jr
MURRAY LAW FIRM
650 Poydras Street
Suite 2150
New Orleans, LA 70130
1-504-525-8100
Fax: 504-584-5249
Email: smurrayjr@murray-lawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen Neal Zack
BOIES SCHILLER FLEXNER, LLP
100 SE 2nd Street – Suite 2800
Miami, FL 33131
305-357-8452
Fax: 305-539-8400
Email: Szack@BSFLLP.com
TERMINATED: 07/22/2021
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steven P Wandro
WANDRO & ASSOCIATES, P.C.
2501 GRAND AVE
SUITE B
DES MOINES, IA 50312
515 281 1475
Fax: 515 281 1474
Email: swandro@2501grand.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

W Gregory Wright
SHARP LAW, LLP
4820 W. 75th Street
Prairie Village, KS 66208
913-901-0505
Email: gwright@midwest-law.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

William Butterfield
Hausfeld LLP
1700 K Street, Nw

Washington, DC 20006
202-540-7143
Fax: 202-540-7201
Email: wbutterfield@hausfeldllp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Aaron S Podhurst
PODHURST ORSECK PA
25 West Flagler Street, Suite 800
Miami, FL 33129
305-358-2800
Fax: 305-358-2382
Email: apodhurst@podhurst.com
ATTORNEY TO BE NOTICED

Adam W Pittman
CORY WATSON ATTORNEYS PC
2131 Magnolia Avenue South, Ste. 200
Birmingham, AL 35205
205-328-7000
Fax: 205-324-7896
Email: apittman@corywatson.com
TERMINATED: 02/01/2013

Alexander McInnis Boies
BOIES SCHILLER FLEXNER
575 Lexington Avenue
7th Floor
New York, NY 10022
212-446-2300
Email: aboies@bsfllp.com
ATTORNEY TO BE NOTICED

Ami Swank
Ami Swank Law Firm
811 Timberdell Road
Norman, OK 73072
405-361-2797
Fax: 405-236-5303
Email: ami@swank.net
ATTORNEY TO BE NOTICED

Amy Pepke
BUTLER SNOW O'MARA STEVENS &
CANNADA PLLC
6075 Poplar Ave, Ste 500
Memphis, TN 38119
901-680-7324
Fax: 901-680-7201
TERMINATED: 11/08/2013

Andrea Layne Stackhouse

Jones Ward PLC
312 S. Fourth Street, 6th Floor
Louisville, KY 40202
502-882-6000
Fax: 502-587-2007
Email: layne@jonesward.com
ATTORNEY TO BE NOTICED

Andrew C Allen

LAW OFFICES OF ANDREW C.
ALLEN, LLC
2910 Linden Avenue, Suite 200-B
Homewood, AL 35209
205-747-1903
Fax: 205-847-5400
Email: aallen@acallenlaw.com
TERMINATED: 05/22/2014

Andrew England Brashier

105 Crenshaw Court
Prattville, AL 36067
334-300-2264
Email: Andrew.Brashier@beasleyallen.com
TERMINATED: 03/18/2019
ATTORNEY TO BE NOTICED

Andrew J Kochanowski

SOMMERS SCHWARTZ PC
One Towne Square, Suite 1700
Southfield, MI 48076
248-355-0300
Fax: 248-746-4001
Email: akochanowski@sommerspc.com
TERMINATED: 04/08/2015

Andrew Allen Lemmon

Lemmon Law Firm
15058 River Rd.
P.O. Box 904
Hahnville, LA 70057
985-783-6789
Fax: 985.783.1333
Email: andrew@lemmonlawfirm.com
ATTORNEY TO BE NOTICED

Andrew M Stone

STONE LAW FIRM LLC
437 Grant Street, Suite 1806
Pittsburgh, PA 15219
412-391-2005
Fax: 412-391-0853

Email: astone@stone-law-firm.com
ATTORNEY TO BE NOTICED

Anna Louise Hart
HART LAW LLC
400 Vestavia Parkway
Suite 100
Vestavia, AL 35216
205-276-1286
Email: ahart@hartlawllc.com
TERMINATED: 03/12/2015

Annesley H DeGaris
Two North Twentieth, Ste. 1030
Suite 1030
Birmingham, AL 35203
205-558-9000
Fax: 205-588-5231
Email: adegaris@degarislaw.com
ATTORNEY TO BE NOTICED

Anthony F. Jackson
BECK & AMSDEN
1946 Stadium Drive
Suite 1
Bozeman, MT 59715
406-586-8700
Fax: 406-586-8960
Email: Anthony@becklawyers.com
ATTORNEY TO BE NOTICED

Anu M Brady
MCCALLUM METHVIN & TERRELL
PC
The Highland Bldg
2201 Arlington Ave South
Birmingham, AL 35216
205-939-0199
Fax: 205-939-0399
Email: brady3104@gmail.com
TERMINATED: 04/25/2014

Archibald I Grubb , II
BEASLEY ALLEN CROW METHVIN
PORTIS & MILES PC
272 Commerce Street
P O Box 4160
Montgomery, AL 36103-4160
334-269-2343
Fax: 334-954-7555
Email: agrubb@attorneykennugent.com
ATTORNEY TO BE NOTICED

Archie C Lamb , Jr
ARCHIE LAMB AND ASSOCIATES
LLC
P.O. Box 2088
Birmingham, AL 35201
205-612-6789
Email: alamb@archielamb.com
ATTORNEY TO BE NOTICED

Arthur N Bailey , Jr
HAUSFELD LLP
44 Montgomery Steet
Suite 3400
San Francisco, CA 94104
415-633-1908
Fax: 415-358-4980
Email: abailey@hausfeldllp.com
ATTORNEY TO BE NOTICED

Augusta Salem Dowd
WHITE ARNOLD & DOWD, PC
Alabama
2025 3rd Ave N, Ste 500
Birmingham, AL 35203
205-323-1888
Email: adowd@whitearnolddowd.com
ATTORNEY TO BE NOTICED

Barry A Ragsdale
DOMINICK FELD HYDE PC
1130 22nd Street South, Suite 4000
Birmingham, AL 35205
205-536-8888
Email: BRagsdale@dfhlaw.com
ATTORNEY TO BE NOTICED

Ben W Gordon , Jr
LEVIN PAPANTONIO THOMAS
MITCHELL RAFFERTY & PROCTOR
316 South Baylen Street
Suite 600
Pensacola, FL 32502
850-435-7080
Fax: 850-435-6080
Email: bgordon@levinlaw.com
ATTORNEY TO BE NOTICED

Benjamin L Barnes
BENJAMIN L BARNES
ATTORNEY AND COUNSELOR AT
LAW

407 W. Covell Road #32123
Edmond, OK 73003
405-595-3936
Fax: 888-493-6648
Email: bb@bbarneslaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Benjamin J Sweet
THE SWEET LAW FIRM
186 Mohawk Drive
Pittsburgh, PA 15228
412-742-0631
Email: ben@sweetlawpc.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Braden Beard
HAUSFELD LLP
1700 K St NW Suite 650
Washington, DC 20006
202-540-7200
Fax: 202-540-7201
Email: bbeard@hausfeld.com
ATTORNEY TO BE NOTICED

Bradley A Wasser
LAW OFFICES OF DAVID BALTO
1350 I Street NW, Suite 850
Washington, DC 20005
202-789-5424
Fax: 202-789-1819
Email: brad.wasser@dcantitrustlaw.com
ATTORNEY TO BE NOTICED

Brenton W Cole
CARROLL WARREN & PARKER PLLC
188 E. Capitol Street, Suite 1200
Jackson, MS 39201
601-592-1010
Fax: 601-592-6060
Email: bcole@cwplaw.com
TERMINATED: 11/03/2014

Brian M Clark
WIGGINS CHILDS PANTAZIS FISHER
& GOLDFARB
The Kress Building
301 19th Street North
Birmingham, AL 35203-3204
205-314-0500
Fax: 205-254-1500

Email: Bclark@wigginschilds.com

ATTORNEY TO BE NOTICED

Brian E Wojtalewicz

WOJTALEWICZ LAW FIRM LTD

139 North Miles St

Appleton, MN 56208-0123

320-289-2363

Fax: 320-289-2369

Email: brian@wojtalewiczlawfirm.com

ATTORNEY TO BE NOTICED

Bruce C Jones

JONES & SWARTZ PLLC

1673 W Shoreline Drive Suite 200

Boise, ID 83702

(208) 489-8989

Fax: (208) 489-8988

Email: bruce@jonesandswartzlaw.com

ATTORNEY TO BE NOTICED

Bryan L Clobes

CAFFERTY CLOBES MERIWETHER &
SPRENGEL LLP

1101 Market Street, Suite 2650

Philadelphia, PA 19107

215-864-2800

Fax: 215-864-2810

Email: bclobes@caffertyclobes.com

ATTORNEY TO BE NOTICED

Carl S Kravitz

Zuckerman Spaeder LLP

1800 M Street, NW

Suote 1000

Washington, DC 20036

202-778-1873

Fax: 202-822-8106

PRO HAC VICE

ATTORNEY TO BE NOTICED

Carl Wesley Pittman

THE PITTMAN FIRM PA

432 McKenzie Avenue

Panama City, FL 32401

850-784-9000

Fax: 850-763-6787

Email: wespittman@pittmanfirm.com

ATTORNEY TO BE NOTICED

Casey Langston Lott

LANGTSON & LOTT, P.A.

P.O. Box 382
100 South Main Street
Booneville, MS 38829
662-728-9733
Fax: 662-728-1992
Email: clott@langstonlott.com
ATTORNEY TO BE NOTICED

Charles J Cooper
COOPER & KIRK PLLC
1523 New Hampshire Avenue, N.W.
Washington, DC 20036
202-220-9600
Fax: 202-220-9601
Email: ccooper@cooperkirk.com
ATTORNEY TO BE NOTICED

Charles D Hudson
PENN AND SEABORN LLC
1971 Berry Chase Place
Montgomery, AL 360117
334-738-4486
Fax: 334-738-4432
Email: charlie@pennandseaborn.com
ATTORNEY TO BE NOTICED

Charles C Hunter
HAYES HUNGER PC
4265 San Felip Suite 1000
Houston, TX 77027
281-768-4731
Fax: 713-583-7047
Email: chunter@hayeshunterlaw.com
ATTORNEY TO BE NOTICED

Charles M Thompson
CHARLES M THOMPSON PC
2539 John Hawkins Pkwy
Suite 101-149
Hoover, AL 35244
205-995-0068
Fax: 866-610-1650
Email: CMTLAW@aol.com
ATTORNEY TO BE NOTICED

Charles R Watkins
GUIN STOKES & EVANS LLC
321 S Plymouth Ct
Ste 1250
Chicago, IL 60604
312-878-8391
Fax: 312-663-0303

Email: cwatkins@gseattorneys.com
ATTORNEY TO BE NOTICED

Christina D Crow
JINKS CROW & DICKSON PC
219 Prairie Street N
PO Box 350
Union Springs, AL 36089
334-738-4225
Fax: 334-738-4229
Email: ccrow@jinkslaw.com
ATTORNEY TO BE NOTICED

Christopher T Cain
SCOTT & CAIN
550 W. Main Street, Suite 601
Knoxville, TN 37902
865-525-2150
Fax: 865-525-2120
Email: cain@scottandcain.com
ATTORNEY TO BE NOTICED

Christopher L Coffin
PENDLEY BAUDIN & COFFIN LLP
24110 Eden Street
Plaquemine, LA 70765
225-687-6396
Fax: 225-687-6398
Email: ccoffin@pbclawfirm.com
ATTORNEY TO BE NOTICED

Christopher T Hellums
PITTMAN DUTTON & HELLUMS PC
2001 Park Place Tower
Suite 1100
Birmingham, AL 35203
205-322-8880
Fax: 205-278-2711
Email: PDH-efiling@pittmandutton.com
ATTORNEY TO BE NOTICED

Clint Sargent
MEIERHENRY SARGENT LLP
315 S Phillips Avenue
Sioux Falls, SD 57104-6318
605-336-3075
Fax: 605-336-2593
Email: clint@meierhenrylaw.com
ATTORNEY TO BE NOTICED

Cyril V Smith , III
ZUCKERMAN SPAEDER LLP

100 E Pratt Street, Suite 2440
Baltimore, MD 21202
410-949-1145
Fax: 410-659-0436
Email: csmith@zuckerman.com
ATTORNEY TO BE NOTICED

D Brian Hufford
ZUCKERMAN SPAEDER LLP
485 Madison Avenue
10th Floor
New York, NY 10022
212-704-9600
Fax: 212-704-4256
Email: dbhufford@zuckerman.com
ATTORNEY TO BE NOTICED

Dale Ernest Akins
AKINS LAW FIRM
Unit A
6 Johnston Way
PO Box 1547
Bluffton, SC 29910
843-757-7574
Fax: 843-757-7601
Email: kwhite@hargray.com
ATTORNEY TO BE NOTICED

Daniel E Gustafson
GUSTAFSON GLUEK PLLC
Canadian Pacific Plaza
120 South Sixth Street, Suite 2600
Minneapolis, MN 55402
612-333-8844
Fax: 612-339-6622
Email: dgustafson@gustafsongluek.com
ATTORNEY TO BE NOTICED

Daniel C Hedlund
GUSTAFSON GLUEK PLLC
Canadian Pacific Plaza
120 South 6th Street, Suite 2600
Minneapolis, MN 55402
612-333-8844
Fax: 612-339-6622
Email: dhedlund@gustafsongluek.com
ATTORNEY TO BE NOTICED

Daniel Patrick Moylan
ZUCKERMAN SPAEDER LLP
100 East Pratt Street Suite 2440
Baltimore, MD 21202

410-949-1159
Fax: 410-659-0436
Email: dmoylan@zuckerman.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Daniel E. Phillips
SOLBERG STEWART MILLER
PO BOX 1897
FARGO, ND 58107-1897
701-237-3166
Fax: 701-237-4627
ATTORNEY TO BE NOTICED

Daniel A Small
COHEN MILSTEIN SELLERS & TOLL
PLLC
1100 New York Avenue, NW
Suite 500 West
Washington, DC 20005
202-408-4600
Fax: 202-408-4699
Email: dsmaill@cohenmilstein.com
ATTORNEY TO BE NOTICED

David A Balto
LAW OFFICES OF DAVID BALTO
1350 I Street NW, Suite 850
Washington, DC 20005
205-789-5424
Fax: 202-789-1819
Email: david.balto@dcantitrustlaw.com
ATTORNEY TO BE NOTICED

David Boies
BOIES SCHILLER & FLEXNER LLP
333 Main Street
Armonk, NY 10504
914-749-8200
Fax: 914-749-8300
Email: dboies@bsflfp.com
ATTORNEY TO BE NOTICED

David A Ettinger
HONIGMAN MILLER SCHWARTZ
AND COHN LLP
660 Woodward Ave., Suite 2290
Detroit, MI 48226
313-465-7368
Fax: 313-465-7369
Email: dettinger@honigman.com
TERMINATED: 12/07/2015

ATTORNEY TO BE NOTICED

David F Evans

HICKEY & EVANS

1800 Carey Avenue, Suite 700

P O Box 467

Cheyenne, WY 82003-0467

307-634-1525

Fax: 307-638-7335

ATTORNEY TO BE NOTICED

David J Guin

GUIN STOKES & EVANS LLC

300 Richard Arrington Jr Blvd. N.

Suite 600

Birmingham, AL 35203

205-503-4505

Fax: 205-226-2357

Email: davidg@gseattorneys.com

ATTORNEY TO BE NOTICED

David J Hodge

MORRIS KING & HODGE PC

200 Pratt Avenue NE

Huntsville, AL 35801

256-536-0588

Fax: 256-533-1504

Email: wparker@mkhlawyers.com

ATTORNEY TO BE NOTICED

David M Wilkerson

THE VAN WINKLE LAW FIRM

11 North Market St

Asheville, NC 28801

828-258-2991

Fax: 828-257-2767

Email: dwilkerson@vwlawfirm.com

ATTORNEY TO BE NOTICED

Deborah J Winegard

WHATLEY KALLAS LLC

1068 Virginia Avenue NE

Atlanta, GA 30306

404-607-8222

Fax: 404-220-9625

Email: dwinegard@whatleykallas.com

ATTORNEY TO BE NOTICED

Debra B Hayes

THE HAYES LAW FIRM

700 Rockmead Suite 210

Kingwood, TX 77339

281-815-4963
Fax: 832-575-4759
Email: dhayes@dhayeslaw.com
ATTORNEY TO BE NOTICED

Dennis G Pantazis
WIGGINS CHILDS PANTAZIS FISHER
& GOLDFARB LLC
The Kress Building
301 19th Street North
Birmingham, AL 35203-3204
205-314-0531
Fax: 205-314-0731
Email: dgp@wigginschilds.com
ATTORNEY TO BE NOTICED

Dennis Craig Reich
REICH & BINSTOCK LLP
4265 San Felipe, Suite 1000
Houston, TX 77027
1-713-622-7271
Fax: 713-623-8724
Email: DReich@reichandbinstock.com
ATTORNEY TO BE NOTICED

Dianne M Nast
NASTLAW LLC
1101 Market Street, Suite 2801
Philadelphia, PA 19107
215-923-9300
Fax: 215-923-9302
Email: dnast@nastlaw.com
ATTORNEY TO BE NOTICED

Donald D Knowlton , II
CUSIMANO ROBERTS & MILLS LLC
153 South 9th Street
Gadsden, AL 35901
256-543-0400
Email: don@alalawyers.net
ATTORNEY TO BE NOTICED

Donna Smith Cude
JOHN D. SAXON PC
2119 3rd Avenue North
Birmingham, AL 35203
205-397-1030
Fax: 205-323-1583
Email: dcude@saxonattorneys.com
ATTORNEY TO BE NOTICED

Douglas A Dellaccio , Jr

CORY WATSON PC
2131 Magnolia Avenue South, Suite 200
P O Box 55927
Birmingham, AL 35255-5972
205-328-2200
Fax: 205-324-7896
Email: ddellaccio@corywatson.com
ATTORNEY TO BE NOTICED

Earnest William Wotring
Connelly Baker Wotring LLP
700 JPMorgan Chase Tower
600 Travis
Houston, TX 77002
713-980-1700
Fax: 713-980-6925
Email: ewotring@bakerwotring.com
ATTORNEY TO BE NOTICED

Edgar Hyde Carby
CARBY & CARBY PC
513 State Street
Natchez, MS 39120
601-445-5011
Fax: 601-445-5033
Email: hcarby@carbylaw.com
TERMINATED: 04/15/2016

Edgar Dean Gankendorff
PROVOATY & GANKENDORFF LLC
650 Poydras Street, Suite 2700
New Orleans, LA 70130
504-410-2795
Fax: 504-410-2796
Email: egankendorff@provostylaw.com
ATTORNEY TO BE NOTICED

Edith M Kallas
WHATLEY KALLAS LLP
152 West 57th Street
41st Floor
New York, NY 10019
212-447-7060
Fax: 800-922-4851
Email: ekallas@whatleykallas.com
ATTORNEY TO BE NOTICED

Edward K Wood , Jr
WOOD LAW FIRM LLC
PO Box 382434
Birmingham, AL 35238
205-612-0243

Fax: 866-747-3905
Email: kirk@woodlawfirmllc.com
ATTORNEY TO BE NOTICED

Edwin J Kilpela , Jr
CARLSON LYNCH LTD
1133 Penn Avenue
5th Floor
Pittsburgh, PA 15222
412-322-9243
Fax: 412-231-0246
Email: ekilpela@carlsonlynch.com
ATTORNEY TO BE NOTICED

Elizabeth Pollock-Avery
CARLSON LYNCH SWEET KILPELA &
CARPENTER LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222
412-322-9243
Fax: 412-231-0246
Email: eavery@carlsonlynch.com
ATTORNEY TO BE NOTICED

Ellen M Ahrens
GUSTAFSON GLUEK PLLC
650 Northstar East
608 Second Avenue South
Minneapolis, MN 55402
612-333-8844
Fax: 612-339-6622
ATTORNEY TO BE NOTICED

Ellen Meriwether
CAFFERTY CLOBES MERIWETHER &
SPRENGEL LLP
1101 Market Street, Suite 2650
Philadelphia, PA 19107
215-864-2800
Fax: 215-864-2810
Email: emeriwether@caffertyclobes.com
ATTORNEY TO BE NOTICED

Emily Hawk Mills
CUSIMANO ROBERTS & MILLS LLC
153 S. 9th Street
Gadsden, AL 35901
256-543-0400
Fax: 256-543-0488
Email: emily@alalawyers.net
ATTORNEY TO BE NOTICED

Eric R Belin

PROVOSTY & GANKENDORFF LLC
650 Poydras Street, Suite 2700
New Orleans, LA 70130
504-410-2795
Fax: 504-410-2796
Email: ebelin@provostylaw.com
ATTORNEY TO BE NOTICED

Eric B Snyder

BAILEY & GLASSER LLP
227 Capitol Street
Charleston, WV 25301
304-345-6555
Fax: 304-342-1110
Email: esnyder@baileyglasser.com
ATTORNEY TO BE NOTICED

Eric B Swartz

JONES & SWARTZ PLLC
1673 W Shoreline Drive Suite 200
Boise, ID 83702
(208) 489-8989
Fax: (208) 489-8988
Email: eric@jonesandswartzlaw.com
ATTORNEY TO BE NOTICED

Erin C Burns

NASTLAW LLC
1101 Market Street, Suite 2801
Philadelphia, PA 19107
215-923-9300
Fax: 215-923-9302
Email: eburns@nastlaw.com
TERMINATED: 07/22/2019
ATTORNEY TO BE NOTICED

Gail A McQuilkin

KOZYAK TROPIN &
THROCKMORTON PA
2525 Ponce de Leon, 9th Floor
Coral Gables, FL 33134
305-372-1800
Fax: 305-372-3508
Email: gam@kttlaw.com
ATTORNEY TO BE NOTICED

Garrett D Blanchfield

REINHARDT WENDORF &
BLANCHFIELD
E1250 First National Bank Bldg.
332 Minnesota Street

St. Paul, MN 55101
651-287-2100
Fax: 651-287-2103
Email: g.blanchfield@rwblawfirm.com
ATTORNEY TO BE NOTICED

Gary E Mason
MASON, LLP
5101 Wisconsin Avenue NW, Suite 305
Washington, DC 20016
202-429-2290
Fax: 202-429-2294
Email: gmason@masonllp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Genevieve M Zimmerman
Meshbesh & Spence
1616 Park Avenue
Minneapolis, MN 55404
612-339-9121
Fax: 612-339-9128
Email: gzimmerman@meshbesh.com
ATTORNEY TO BE NOTICED

Gerald F. Easter
GERALD F. EASTER, ATTORNEY AT
LAW
369 N. Main Street
Memphis, TN 38103
901-575-9998
ATTORNEY TO BE NOTICED

Glen M Connor
QUINN CONNOR WEAVER DAVIES &
ROUCO
Two North Twentieth Street, Ste. 930
Birmingham, AL 35203
205-870-9989
Fax: 205-803-4143
Email: gconnor@qcwdr.com
ATTORNEY TO BE NOTICED

Gregory S Cusimano
CUSIMANO ROBERTS & MILLS, LLC
153 South 9th Street
Gadsden, AL 35901
1-256-543-0400
Fax: 256-543-0488
Email: greg@alalawyers.net
ATTORNEY TO BE NOTICED

Gregory L Davis
GREG DAVIS LAW
7475 Halcyon Pointe Drive
Montgomery, AL 36117
334-832-9080
Fax: 334-409-7001
Email: gldavis@gregdavislaw.com
ATTORNEY TO BE NOTICED

Gwendolyn J Simons
SIMONS & ASSOCIATES LAW PA
PO Box 1238
Scarborough, ME 04070-1238
207-205-2045
Fax: 207-883-7225
Email: gwen@simonsassociateslaw.com
ATTORNEY TO BE NOTICED

H Lewis Gillis
MEANS GILLIS LAW, LLC
3121 Zelda Court
Po Drawer 5058
Montgomery, AL 36103-5058
334-270-1033
Fax: 334-260-9396
Email: hlgillis@meansgillislaw.com
ATTORNEY TO BE NOTICED

Hamish P.M. Hume
Boies Schiller & Flexner LLP
1401 New York Ave NW
Washington, DC 20005
202-237-2727
Fax: 202-237-6131
Email: hhume@bsflp.com
ATTORNEY TO BE NOTICED

Harley S Tropin
KOZYAK TROPIN &
THROCKMORTON PA
2525 Ponce de Leon, 9th Floor
Coral Gables, FL 33134
305-372-1800
Fax: 305-372-3508
Email: hst@kttlaw.com
ATTORNEY TO BE NOTICED

Henry C Quillen
WHATLEY KALLAS LLP
159 Middle Street Suite 2D
Portsmouth, NH 03801
603-294-1591

Fax: 800-922-4851
Email: hquillen@whatleykallas.com
ATTORNEY TO BE NOTICED

Herman Watson , Jr
WATSON MCKINNEY LLP
203 Greene Street
P O Box 18368
Huntsville, AL 35801
256-536-7423
Fax: 256-536-2689
Email: watson@watsonmckinney.com
ATTORNEY TO BE NOTICED

Hope S Marshall
WHITE ARNOLD & DOWD PC
2025 Third Avenue North
Suite 500
Birmingham, AL 35203
205-323-1888
Fax: 205-323-8907
Email: hmarshall@whitearnolddowd.com
ATTORNEY TO BE NOTICED

Irma L Netting
Lemmon Law Firm
15058 River Rd
P.O. box 904
Hahnville, LA 70057
985-783-6789
Fax: 985-783-1333
Email: court@lemmonlawfirm.com
ATTORNEY TO BE NOTICED

J Michael Malone
Hendren & Malone PLLC
4600 Marriott Drive
Suite 150
Raleigh, NC 27612
919-573-1423
Fax: 919-420-0475
Email: mmalone@hendrenmalone.com
ATTORNEY TO BE NOTICED

J Allen Schreiber
SCHREIBER LAW FIRM
6 Office Park Circle
Suite 209
Birmingham, AL 35223
205-871-9140
Email: allen@schreiber.law
TERMINATED: 11/28/2017

J Mark White

WHITE ARNOLD & DOWD PC

2025 3rd Avenue North

Suite 500

Birmingham, AL 35203

205-323-1888

Fax: 205-323-8907

Email: mwhite@whitearnolddowd.com

ATTORNEY TO BE NOTICED

Jacob T. E. Stutzman

CARROLL WARREN & PARKER PLLC

188 E. Capitol Street, Suite 1200

Jackson, MS 39201

601-592-1010

Fax: 601-592-6060

Email: jstutzman@cwplaw.com

TERMINATED: 02/17/2016

James G Adams , Jr

EYSTER KEY TUBB ROTH

MIDDLETON & ADAMS LLP

402 East Moulton Street

P O Box 607

Decatur, AL 35602

256-353-6761

Fax: 256-353-6767

Email: jgadams@eysterkeylaw.com

ATTORNEY TO BE NOTICED

James P Carr

YUHL CARR LLP

4676 Admiralty Way, Suite 550

Marina Del Rey, CA 90292

310-827-2800

Fax: 310-827-4200

Email: jcarr@yuhlcarr.com

ATTORNEY TO BE NOTICED

James Wells Harrell

Boies, Schiller & Flexner LLP

5301 Wisconsin Ave., N.W., Suite 800

Washington, DC 20015

202-274-1164

Fax: 202-237-6131

Email: wharrell@bsflp.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

James M Terrell

METHVIN, TERRELL, YANCEY,

STEPHENS & MILLER, P.C.
2201 Arlington Avenue, South
Birmingham, AL 35205
205-939-0199
Fax: 205-939-0399
Email: jterrell@mtattorneys.com
ATTORNEY TO BE NOTICED

James L Warren , III
CARROLL WARREN & PARKER PLLC
188 E Capitol Street, Suite 1200
Jackson, MS 39201
601-592-1010
Fax: 601-592-6060
Email: jwarren@cwplaw.com
TERMINATED: 02/17/2016

Janet Brooks Holmes
McKay Cauthen Settana and Stubley
1303 Blanding Street
Columbia, SC 29201
803-256-4645
Fax: 803-465-1839
ATTORNEY TO BE NOTICED

Jason G. Ausman
AUSMAN LAW FIRM
1015 North 98th Street
Suite 102
Omaha, NE 68114
402-933-8140
Fax: 402-718-9423
Email: jason@ausmanlawfirm.com
ATTORNEY TO BE NOTICED

Jason S Kilene
Gustafson Gluek PLLC
Canadian Pacific Plaza
120 South Sixth Street, Suite 2600
Minneapolis, MN 55402
612-333-8844
Email: jkilene@gustafsongluek.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jason M Knott
ZUCKERMAN SPAEDER LLP
1800 M Street NW, Ste 1000
Washington, DC 20036
202-778-1813
Email: jknott@zuckerman.com
TERMINATED: 07/24/2020

ATTORNEY TO BE NOTICED

Jason R Rathod

WHITFIELD BRYSON & MASON LLP
1625 Massachusetts Avenue, Nw Suite 605
Washington, DC 20036
202-429-2290
Fax: 202-429-2294
Email: jrathod@wbmlp.com

ATTORNEY TO BE NOTICED

Jason J Thompson

SOMMERS SCHWARTZ PC
One Towne Square, Suite 1700
Southfield, MI 48076
248-415-3206
Fax: 248-436-8453
Email: jthompson@sommerspc.com

ATTORNEY TO BE NOTICED

Javier Asis Lopez

KOZYAK TROPIN &
THROCKMORTON PA
2525 Ponce De Leon Boulevard, 9th Floor
Miami, FL 33134
305-372-1800
Fax: 305-372-3508
Email: jal@kttlaw.com

ATTORNEY TO BE NOTICED

Jeannine M Kenney

HAUSFELD LLP
1700 K St NW Suite 650
Washington, DC 20006
202-540-7200
Fax: 202-540-7201
Email: jkenney@hausfeld.com

ATTORNEY TO BE NOTICED

Jennifer Williams

GRANT & EISENHOFER PA
123 Justison Street
Wilmington, DE 19801
302-622-7000
Email: jwilliams@gelaw.com

ATTORNEY TO BE NOTICED

Jessica Machelle Haynes

BEASLEY ALLEN LAW FIRM
301 St. Louis Street
Mobile, AL 36602
251-266-5477

Email: jessi.haynes@beasleyallen.com
ATTORNEY TO BE NOTICED

Joe R Whatley , Jr
WHATLEY KALLAS LLP
2001 Park Place North Suite 1000
Birmingham, AL 35203
205-488-1200
Fax: 800-922-4851
Email: jwhatley@whatleykallas.com
ATTORNEY TO BE NOTICED

Joey K James
BUNCH & JAMES
210 East Tennessee Street
P O Box 878
Florence, AL 35631
256-764-0095
Fax: 256-767-5705
Email: julia@bunchandjames.com
ATTORNEY TO BE NOTICED

John Clark Davis
JOHN C DAVIS PC
623 Beard Street
Tallahassee, FL 32303
850-222-4770
Fax: 850-222-3119
Email: john@johndavislaw.net
ATTORNEY TO BE NOTICED

John Gravante , III
PODHURST ORSECK PA
25 West Flagler Street, Suite 800
Miami, FL 33130
305-358-2800
Fax: 305-358-2382
Email: jgravante@podhurst.com
ATTORNEY TO BE NOTICED

John R. Holton
Deal Cooper Holton PLLC
296 Washington Avenue
Memphis, TN 38103
901-523-2222
Fax: 901-523-2232
Email: JHolton@dchlaw.com
ATTORNEY TO BE NOTICED

John Doyle Nalley
LOVELL & NALLEY
501 N. Main

Benton, AR 72015-0606
(501) 315-7491
Fax: 501-778-4979
Email: johndoynenalley@hotmail.com
ATTORNEY TO BE NOTICED

John W Partin
PENN & SEABORN LLC
P.O. Box 688
Clayton, AL 36016
334-775-9778
Fax: 334-775-9779
Email: will@pennandseaborn.com
ATTORNEY TO BE NOTICED

John W Reis
FOX ROTHSCILD LLP
101 N. Tryon Street, Suite 1300
Charlotte, NC 28246*0109
704-384-2692
Fax: 704-384-2800
Email: jreis@foxrothschild.com
ATTORNEY TO BE NOTICED

John D Saxon
JOHN D SAXON PC
2119 3rd Avenue North, Suite 100
Birmingham, AL 35203
205-324-0223
Fax: 205-324-1039
Email: jsaxon@saxonattorneys.com
ATTORNEY TO BE NOTICED

John R Wylie
DONALDSON GUIN LLC
300 South Wacker Drive
Suite 1700A
Chicago, IL 60606
312-878-8391
Fax: 312-663-0303
Email: Johnw@dglawfirm.com
ATTORNEY TO BE NOTICED

Jonathan Charles Little
SAEED & LITTLE, LLP
1433 N. Meridian Street
Suite 202
Indianapolis, IN 46202
812-320-3367
Fax: 888-422-3151
ATTORNEY TO BE NOTICED

Jonathan S Mann

PITTMAN DUTTON, HELLUMS,
BRADLEY & MANN
2001 Park Place North, Ste. 1100
Birmingham, AL 35203
205-322-8880
Fax: 205-328-2711
Email: jonm@pittmandutton.com
ATTORNEY TO BE NOTICED

Jonathan R. Voegele , Esq.

Boies, Schiller & Flexner LLP
26 South Main Street
Hanover, NH 03755
603-643-7918
Fax: 603-643-9010
Email: jvoegele@bsfllp.com
ATTORNEY TO BE NOTICED

Joseph Preston Strom , Jr

STROM LAW FIRM LLC
2110 Beltline Blvd
Columbia, SC 29204
803-252-4800
Fax: 803-252-4801
Email: petestrom@stromlaw.com
ATTORNEY TO BE NOTICED

Julia Smeds Roth

EYSTER KEY TUBB ROTH
MIDDLETON & ADAMS LLP
402 East Moulton Street
P O Box 1607
Decatur, AL 35602-1607
256-353-6761
Fax: 256-353-6767
Email: jroth@eysterkeylaw.com
ATTORNEY TO BE NOTICED

Justin W Bernick

HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004
202-637-5485
Fax: 202-637-5910
Email: justin.bernick@hoganlovells.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Karen R Dow

Baker Wotring
700 JPMorgan Chase Tower

600 Travis
Houston, TX 77002
713-980-6592
Email: kdow@bakerwotring.com
ATTORNEY TO BE NOTICED

Karen H Riebel
LOCKRIDGE GRINDAL NAUEN PLLP
100 Washington Ave. S., Suite 2200
Minneapolis, MN 55401
612-339-6900
Fax: 612-339-0981
Email: khriebel@locklaw.com
ATTORNEY TO BE NOTICED

Katherine Rogers Brown
WHITE ARNOLD & DOWD PC
2025 3rd Avenue North, Suite 500
Birmingham, AL 35203
205-323-1888
Fax: 205-323-8907
Email: kbrown@whitearnolddowd.com
ATTORNEY TO BE NOTICED

Kathleen Currie Chavez
FOOTE MIELKE CHAVEZ & O'NEAL
LLC
10 West State Street, Suite 200
Geneva, IL 60134
630-232-7450
Fax: 630-232-7452
Email: kcc@fmcolaw.com
ATTORNEY TO BE NOTICED

Kathleen Simpson Kiernan
BOIES SCHILLER & FLEXNER LLP
5301 Wisconsin Avenue, NW
Washington, DC 20015
202-237-2727
Fax: 202-237-6131
Email: kkiernan@bsflp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Kevin J Stoops
SOMMERS SCHWARTZ PC
One Towne Square, Suite 1700
Southfield, MI 48076
248-355-0300
Fax: 248-746-4001
Email: kstoops@sommerspc.com
ATTORNEY TO BE NOTICED

Kimberly Francis

DOJ–USAO

271 Cadman Plaza East, 7th Floor

Brooklyn, NY 11201

718–254–6147

Email: Kimberly.Francis@usdoj.gov

TERMINATED: 04/18/2022

ATTORNEY TO BE NOTICED

L Shane Seaborn

PENN & SEABORN LLC

5 Court Square

P O Box 688

Clayton, Al 36016–0688

334–775–9778

Fax: 334–775–9779

Email: sseaborn1@yahoo.com

ATTORNEY TO BE NOTICED

Lance Craig Young

SOMMERS SCHWARTZ PC

One Towne Square, Suite 1700

Southfield, MI 48076

248–746–4033

Fax: 248–415–2238

Email: lyoung@sommerspc.com

ATTORNEY TO BE NOTICED

Lara F Phillip

HONIGMAN LLP

660 Woodward Avenue

Detroit, MI 48226

313–465–7518

Fax: 313–465–7519

Email: lara.phillip@honigman.com

Laura Alexander

COHEN MILSTEIN SELLERS & TOLL

PLLC

1100 New York Avenue NW

Suite 500 West

Washington, DC 20005

202–408–4600

Fax: 202–408–4699

Email: laalexander@cohenmilstein.com

TERMINATED: 01/03/2020

ATTORNEY TO BE NOTICED

Lawrence L. Jones , II

JONES WARD PLC

312 S. Fourth Street, 6th Floor

Louisville, KY 40202
502-882-6000
Fax: 502-587-2007
Email: larry@jonesward.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Lee McArthur Scott
602 HARRISON AVE
STE III
PANAMA CITY, FL 32401
850-819-7833
Fax: 850-784-7706
Email: nscott0418@aol.com

Leslie Lee Ann Pescia
BEASLEY ALLEN CROW METHVIN
PORTIS & MILES PC
P.O. Box 4160
Montgomery, AL 36103
334-269-2343
Fax: 334-954-7555
Email: leslie.pescia@beasleyallen.com
TERMINATED: 09/20/2021
ATTORNEY TO BE NOTICED

Linda G Flippo
WHITE ARNOLD & DOWD PC
2025 3rd Avenue, North, Suite 500
Ste 500
Birmingham, AL 35203
205-323-1888
Fax: 205-323-8907
Email: lflippo@whitearnolddowd.com
ATTORNEY TO BE NOTICED

Lisa N Hayes
REINHARDT WENDORF &
BLANCHFIELD
2186 Roxanna Court
Auburn, AL 36879
(334) 707-1911
Email: lnh8803@bellsouth.net
ATTORNEY TO BE NOTICED

Lynn W Jinks , III
JINKS CROW & DICKSON PC
P.O. Box 350
Union Springs, AL 36089
334-738-4225
Fax: 334-738-4229
Email: ljinks@jinkslaw.com

ATTORNEY TO BE NOTICED

M Stephen Dampier
THE DAMPIER LAW FIRM PC
P.O. Box 161
Fairhope, AL 36533-0161
251-929-0900
Fax: 251-929-0800
Email: stevedampier@dampierlaw.com
ATTORNEY TO BE NOTICED

M Patrick McDowell
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

MICHAEL J. MCCARRIE
ARTZ HEALTH LAW
1500 MARKET STREET
SUITE 4100
PHILADELPHIA, PA 19102
267-886-1852
ATTORNEY TO BE NOTICED

Margery S. Bronster
BRONSTER HOSHIBATA
1003 Bishop Street, Suite 2300
Honolulu, HI 96813
808-524-5644
Fax: 808-599-1881
Email: mbronster@bhhawaii.net
ATTORNEY TO BE NOTICED

Mario A Pacella
STROM LAW FIRM
2110 Beltline Blvd
Columbia, SC 29204
803-252-4800
Fax: 803-252-4801
Email: mpacella@stromlaw.com
ATTORNEY TO BE NOTICED

Mark K Gray
GRAY & WHITE
713 E. Market Street, Suite 200
Louisville, KY 40202
502-291-6859
Fax: 502-618-4059
Email: mgray@grayandwhitelaw.com
ATTORNEY TO BE NOTICED

Mark J Murphy

Mooney Green Saindon Murphy and
Welch PC
1920 L St NW Ste 400
Washington, DC 20036
(202)783-0010
Fax: (202)783-6088
ATTORNEY TO BE NOTICED

Matthew J Herman
FOOTE MIELKE CHAVEZ & O'NEIL
LLC
Ste 200
10 West State Street
Geneva, IL 60134
630-232-7450
Fax: 630-232-7452
Email: mjh@fmcolaw.com
ATTORNEY TO BE NOTICED

Matthew P Weinshall
PODHURST ORSECK PA
25 West Flagler Street, Suite 800
Miami, FL 33129
305-358-2800
Fax: 305-358-2382
Email: mweinshall@podhurst.com
ATTORNEY TO BE NOTICED

Meghan M Boone
COHEN MILSTEIN SELLERS & TOLL
PLLC
1100 New York Avenue, NW
Suite 500 West
Washington, DC 20005
202-408-4600
Fax: 202-408-4699
Email: mboone@cohenmilstein.com
ATTORNEY TO BE NOTICED

Melinda Coolidge
HAUSFELD LLP
1700 K Street, Nw
Washington, DC 20006
202-540-7144
Fax: 202-540-7201
Email: mcoolidge@hausfeldllp.com
ATTORNEY TO BE NOTICED

Michael C Dodge
GLAST PHILLIPS & MURRAY PC
14801 Quorum Drive, Suite 500
Dallas, TX 75254

972-419-7172
Email: mdodge@gpm-law.com
ATTORNEY TO BE NOTICED

Michael J. Fleming
KAPKE & WILLERTH LLC
3304 NE Ralph Powell Road
Lee's Summit, MO 64064
816-461-3800
Fax: 816-254-8014
Email: mike@kapkewillerth.com
ATTORNEY TO BE NOTICED

Michael E Gurley , Jr
GURLEY LAW FIRM, LLC
P.O. Box 382732
Birmingham, AL 35238-2434
205-538-3975
Fax: 877-267-5245
Email: mgurleyjr@yahoo.com
ATTORNEY TO BE NOTICED

Michael David Hausfeld
Hausfeld LLP
888 16th Street, NW
Suite 300
Washington, DC 20006
United Sta
202-540-7200
Fax: 202-540-7201
Email: mhausfeld@hausfelldllp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael S Lyons
WHATLEY KALLAS LLP
1180 Avenue of the Americas 20th Floor
New York, NY 10036
212-447-7060
Fax: 800-922-4851
Email: mlyons@whatleykallas.com
ATTORNEY TO BE NOTICED

Michael P McGartland
MCGARTLAND LAW FIRM PLLC
University Centre I
1300 University Drive Suite 500
Ft Worth, TX 76107
817-332-9300
Fax: 817-332-9301
Email: mike@mcartland.com
ATTORNEY TO BE NOTICED

Michael L Murphy

PO Box 38
Centreville, AL 35042
1-205-926-4686
Email: mlmabco@aol.com
ATTORNEY TO BE NOTICED

Michael L Roberts

CUSIMANO KEENER ROBERTS
KNOWLES & RALEY LLC
153 South 9th Street
Gadsden, AL 35901
256-543-0400
Fax: 256-543-0488
Email: mlr@alabamatortlaw.com
ATTORNEY TO BE NOTICED

Michael J. Sudekum

MANDEL AND MANDEL, LLP
1108 Olive Street
Fifth Floor
St. Louis, MO 63101
314-621-1701
Fax: 314-621-4800
Email: mike@mandelmandel.com
ATTORNEY TO BE NOTICED

Mike Miller

SOLBERG STEWART MILLER & TJON
1129 5th Avenue, South
PO Box 1897
Fargo, ND 58107-1897
701-237-3166
Fax: 701-237-4627
Email: mmiller@solbergglaw.com
ATTORNEY TO BE NOTICED

Mitchell Lloyd Berry

DYKE GOLDSHOLL & WINZERLING
PLC
415 N McKinley Suite 1177
Little Rock, AR 72205
501-661-1000
Fax: 501-661-1100
Email: mberry@dhgw.net
ATTORNEY TO BE NOTICED

Monte D. Beck

BECK & AMSDEN, PLLC
1946 Stadium Drive
Suite 1

Bozeman, MT 59715
406-586-8700
Fax: 406-586-8960
Email: mbeck@becklawyers.com
ATTORNEY TO BE NOTICED

Myron C Penn
PENN & SEABORN LLC
53 Highway 110
PO Box 5335
Union Springs, AL 36089
334-738-4486
Fax: 334-738-4432
Email: myronpenn28@hotmail.com
ATTORNEY TO BE NOTICED

Nathan A Dickson , II
JINKS CROW & DICKSON PC
P O Box 350
Union Springs, AL 36089
334-738-4225
Fax: 334-738-4229
Email: NDickson@jinkslaw.com
ATTORNEY TO BE NOTICED

Nicholas R Rockforte
Pendley Baudin & Coffin LLP
24110 Eden St
Plaquemine, LA 70765
225-687-6396
Fax: 225-687-6398
Email: nrockforte@pbclawfirm.com
ATTORNEY TO BE NOTICED

Nicholas B Roth
EYSTER KEY TUBB ROTH
MIDDLETON & ADAMS LLP
402 E Moulton Street
PO Box 1607
Decatur, AL 35602
256-353-6761
Fax: 256-353-6767
Email: nbroth@eysterkeylaw.com
ATTORNEY TO BE NOTICED

O'Kelley H Pearson
HICKEY & EVANS
1800 Carey Avenue, Suite 700
P O Box 467
Cheyenne, WY 82003-0467
307-634-1525
Fax: 307-638-7335

ATTORNEY TO BE NOTICED

Patrick E Cafferty

CAFFERTY CLOBES MERIWETHER &
SPRENGEL LLP

101 North Main Street, Suite 565

Ann Arbor, MI 48104

734-769-2144

Email: pcafferty@caffertyclobes.com

ATTORNEY TO BE NOTICED

Patrick W Pendley

PENDLEY BAUDIN & COFFIN LLP

24110 Eden Street

Plaquemine, LA 70765

225-687-6396

Fax: 225-687-6398

Email: pwendley@pbclawfirm.com

ATTORNEY TO BE NOTICED

Patrick James Quinlan

Law Offices of Patrick J. Quinlan

243 North Main St.

Providence, RI 02903

272-5300, ext.127

Fax: 223-1401

ATTORNEY TO BE NOTICED

Patrick J Sheehan

Whatley Kallas LLP

101 Federal Street, 19th Floor

Boston, MA 02110

617-573-5118

Fax: 800-922-4851

Email: psheehan@whatleykallas.com

ATTORNEY TO BE NOTICED

Perry Michael Yancey

Methvin, Terrell, Yancey, Stephens &
Miller, P.C.

2201 Arlington Avenue South

Birmingham, AL 35205

205-939-0199

Fax: 205-939-0399

Email: myancey@mmlaw.net

ATTORNEY TO BE NOTICED

Peter E Boivin

HONIGMAN MILLER SCHWARTZ &
COHN LLP

660 Woodward Avenue, Suite 2290

Detroit, MI 48226

313-465-7396
Fax: 313-465-7397
Email: pboivin@honigman.com
TERMINATED: 05/13/2013
PRO HAC VICE

Peter H Burke
BURKE HARVEY, LLC
3535 Grandview Parkway Suite 100
Birmingham, AL 35243
205-747-1901
Fax: 205-930-9054
Email: pburke@burkeharvey.com
ATTORNEY TO BE NOTICED

Peter Prieto
PODHURST ORSECK PA
25 West Flagler Street, Suite 800
Miami, FL 33130
305-358-2800
Fax: 305-358-2382
Email: pprieto@podhurst.com
ATTORNEY TO BE NOTICED

Philip E Carby
CARBY AND CARBY PC
513 State Street
Natchez, MS 39120
601-445-5011
Fax: 601-445-5033
Email: pcarby@carbylaw.com
TERMINATED: 04/15/2016

Phillip W McCallum
MCCALLUM METHVIN & TERRELL
PC
2201 Arlington Avenue South
Birmingham, AL 35205
205-939-0199
Fax: 205-939-0399
Email: pwm@mmlaw.net
ATTORNEY TO BE NOTICED

R Christopher Cowan
THE COWAN LAW FIRM
4711 GASTON AVENUE
Dallas, TX 75246-1013
214-826-1900
Fax: 214-826-8900
Email: CHRIS@COWANLAW.NET
ATTORNEY TO BE NOTICED

R G Methvin , Jr

Methvin, Terrell, Yancey, Stephens &
Miller, P.C.

2201 Arlington Avenue South
Birmingham, AL 35205

205-939-0199

Fax: 205-939-0399

Email: rgm@mtattorneys.com

ATTORNEY TO BE NOTICED

Randall D Noel

BUTLER SNOW LLP

6075 Poplar Avenue Suite 500

Memphis, TN 38119

901-680-7346

Fax: 901-680-7201

Email: randy.noel@butlersnow.com

ATTORNEY TO BE NOTICED

Rebecca Diane Gilliland

BEASLEY ALLEN LAW FIRM

302 St. Louis Street

Mobile, AL 36602

251-308-1515

Fax: 334-954-7555

Email: rebecca.gilliland@beasleyallen.com

ATTORNEY TO BE NOTICED

Rebecca A Peterson

Lockridge Grindal Nauen PLLP

100 Washington Ave. S., Suite 2200

Minneapolis, MN 55401-2179

612-339-6900

Fax: 612-339-0981

Email: rapeterson@locklaw.com

ATTORNEY TO BE NOTICED

Rebekah Keith McKinney

WATSON MCKINNEY, LLP

203 Greene Street

Huntsville, AL 35801-4934

256-536-7423

Email: mckinney@watsonmckinney.com

ATTORNEY TO BE NOTICED

Rex Y. Fujichaku

BRONSTER HOSHIBATA

1003 Bishop Street, Suite 2300

Honolulu, HI 96813

808-524-5644

Fax: 808-599-1881

Email: rfujichaku@bhhawaii.net

ATTORNEY TO BE NOTICED

Richard S Frankowski
THE FRANKOSKI FIRM LLC
1914 4th Avenue North, Ste. 530
Birmingham, AL 35203
205-390-0399
Fax: 205-390-1001
Email: Richard@frankowskifirm.com
ATTORNEY TO BE NOTICED

Richard P Rouco
QUINN CONNOR WEAVER DAVIES &
ROUCO LLP
Two North Twentieth Street
2 20th Street North
Suite 930
Birmingham, AL 35203
205-870-9989
Fax: 205-803-4143
Email: rrouco@qcwdr.com
ATTORNEY TO BE NOTICED

Robert J Axelrod
AXELROD & DEAN LLP
830 Third Avenue, 5th Floor
New York, NY 10022
646-448-5263
Fax: 212-840-8560
Email: rjaxelrod@axelroddean.com
ATTORNEY TO BE NOTICED

Robert G Eisler
GRANT & EISENHOFER PA
123 Justison Street Suite 701
Wilmington, DE 19801
302-622-7030
Fax: 302-622-7100
Email: reisler@gelaw.com
ATTORNEY TO BE NOTICED

Robert M Foote
FOOTE MIELKE CHAVEZ & O'NEIL
LLC
10 West State Street, Suite 200
Geneva, IL 60134
(630) 232-7450
Fax: (630) 232-7452
Email: rmf@fmcolaw.com
ATTORNEY TO BE NOTICED

Robert M Hatch

BRONSTER FUJICHAKU ROBBINS
1003 Bishop Street, Suite 2300
Honolulu, HI 96813
808-524-5644
Fax: 808-599-1881
Email: rhatch@bfrhawaii.com
ATTORNEY TO BE NOTICED

Robert B Roden
SHELBY RODEN LLC
2101 Highland Avenue South
Birmingham, AL 35205
205-933-8383
Fax: 205-933-8386
Email: rroden@shelbyroden.com
ATTORNEY TO BE NOTICED

Samuel Issacharoff
40 Washington Square South
New York, NY 10012
212-998-6580
ATTORNEY TO BE NOTICED

Scott Allen Martin
HAUSFELD
1700 K St. NW, Suite 650
Washington, DC 20006
646-357-1100
Fax: 212-202-4322
Email: smartin@hausfeld.com
ATTORNEY TO BE NOTICED

Sean T. O'Connell
SHAHEEN & GORDON PA
140 Washington St
PO Box 977
Dover, NH 03821-0977
603 749-5000
Fax: 603-749-1838
Email: soconnell@shaheengordon.com
ATTORNEY TO BE NOTICED

Stanley P Baudin
PENDLEY BAUDIN & COFFIN LLP
24110 Eden Street
Plaquemine, LA 70765
225-687-6396
Fax: 225-687-6398
Email: sbaudin@pbclawfirm.com
ATTORNEY TO BE NOTICED

Star Mishkel Tyner

POMERANTZ GROSSMAN HUFFORD
DAHLSTROM & GROSS, LLP
600 Third Avenue
20th Floor
New York, NY 10016
212-661-1100
Fax: 212-661-8865
Email: start@dglawfirm.com
ATTORNEY TO BE NOTICED

Stephen M Hanson
LAW OFFICES OF STEPHEN M.
HANSEN, PS
1821 Dock Street, Suite 103
Tacoma, WA 98402
253-302-5955
Fax: 253-301-1147
Email: steve@stephenmhansenlaw.com
ATTORNEY TO BE NOTICED

Swathi Bojedla
HAUSFELD LLP
1700 K Street NW, Suite 650
Washington, DC 20006
202-540-7200
Fax: 202-540-7201
Email: sbojedla@hausfeld.com
ATTORNEY TO BE NOTICED

Ta'Kisha L Guster
P O Box 2972
Decatur, AL 35602
256-552-0080
Fax: 256-552-0081
Email: takishaguster@gmail.com
ATTORNEY TO BE NOTICED

Tammy McClendon Stokes
GUIN STOKES & EVANS LLC
300 Richard Arrington Jr. Blvd. N.
Suite 600
Birmingham, AL 35203
205-226-2282
Fax: 205-226-2357
Email: tammys@gseattorneys.com
ATTORNEY TO BE NOTICED

Tanya Chutkan
BOIES SCHILLER & FLEXNER LLP
5301 Wisconsin Avenue, 8th Floor
Washington, DC 20015
202-237-6131

Fax: 205-237-2727
Email: tchutkan@bsfllp.com
TERMINATED: 06/12/2014

Temus C Miles , Jr
McKay Cauthen Settana and Stubley
1303 Blanding Street
Columbia, SC 29201
803-256-4645
ATTORNEY TO BE NOTICED

Thomas Bender
HORN, AYLWARD & BANDY, LLC
2600 Grand Blvd., Ste. 1100
Kansas City, MO 64108
816-421-6620
Fax: 816-421-4747
Email: tbender@hab-law.com
ATTORNEY TO BE NOTICED

Thomas S Scott , Jr
Ball & Scott Law Offices
Bank of America Center
Suite 601
550 Main Street
Knoxville, TN 37902
865/525-7028
Fax: 865/525-4579
ATTORNEY TO BE NOTICED

Thomas Michael Trucksess
HOGAN LOVELLS US LLP
8350 Broad Street
17th Floor
Tysons, VA 22102
703-610-6100
Fax: 703-610-6200
Email: thomas.trucksess@hoganlovells.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Timothy D Battin
BOIESBATTIN LLP
4041 University Drive, Floor 5
Fairfax, VA 22030
703-764-8700
Fax: 703-764-8704
Email: tbattin@boiesbattin.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Timothy R. Holton

Deal Cooper Holton PLLC
296 Washington Avenue
Memphis, TN 38103
901-523-2222
Email: THolton@dchlaw.com
ATTORNEY TO BE NOTICED

Troy A Doles
SCHLICHTER BOGARD & DENTON
LLP
100 S. 4th Street, Ste. 900
St. Louis, MO 63102
314-621-6115
Fax: 314-621-7151
Email: tdoles@uselaws.com
TERMINATED: 11/22/2016

Tyler J Barnett
YUHL CARR LLP
4676 Admiralty Way, Suite 550
Marina Del Rey, CA 90292
310-827-2800
Fax: 310-827-4200
Email: tbarnett@yuhlcarr.com
ATTORNEY TO BE NOTICED

U W Clemon
U.W. Clemon, LLC
2001 Park Place
Suite 1000
Birmingham, AL 35203
205-837-2898
Fax: 205-798-2577
Email: uwclemon1@gmail.com
ATTORNEY TO BE NOTICED

Van Bunch
BONNETT FAIRBOURN FRIEDMAN &
BALINT PCO
2325 E. Camelback Road, Suite 300
Phoenix, AZ 85016
423-886-9736
Fax: 602-274-1199
Email: vbunch@bffb.com
ATTORNEY TO BE NOTICED

Virginia M Buchanan
LEVIN PAPANTONIO THOMAS
MITCHELL RAFFERTY & PROCTOR
PA
316 S Baylen Street 6th Floor
Pensacola, FL 32502

850-435-7023
Fax: 850-436-6023
Email: vbuchanan@levinlaw.com
ATTORNEY TO BE NOTICED

W Gordon Ball
GORDON BALL LAW OFFICE
7001 Old Kent Drive
Knoxville, TN 37919
865-525-7028
Fax: 865-525-4679
Email: gball@gordonball.com
ATTORNEY TO BE NOTICED

W Tucker Brown
WHATLEY KALLAS LLC
P.O. Box 10968
Birmingham, AL 35202-0968
205-488-1200
Fax: 800-922-4851
Email: tbrown@whatleykallas.com
ATTORNEY TO BE NOTICED

William David George
Baker Wotring LLP
600 Travis
Suite 700
Houston, TX 77002
713-980-1700
Fax: 713-980-1701
Email: dgeorge@bakerwotring.com
ATTORNEY TO BE NOTICED

William H Horton
GIARMARCO MULLINS & HORTON
PC
101 West Big Beaver Road, Tenth Floor
Troy, MI 48084-5280
248-457-7000
Fax: 248-457-7001
Email: bhorton@gmhlaw.com
ATTORNEY TO BE NOTICED

William A Isaacson
PAUL WEISS RIFKIND WHARTON &
GARRISON LLP
2001 K Street, NW
Washington, DC 20006-1047
202-223-7300
Email: wisaacson@paulweiss.com
ATTORNEY TO BE NOTICED

Wilson Daniel Miles , III
BEASLEY ALLEN CROW METHVIN
PORTIS & MILES PC
P O Box 4160
Montgomery, AL 36103-4160
334-269-2343
Fax: 334-954-7555
Email: dee.miles@beasleyallen.com
ATTORNEY TO BE NOTICED

Plaintiff

Plaintiffs' Liaison Counsel

represented by **Barry A Ragsdale**
(See above for address)
ATTORNEY TO BE NOTICED

Ben W Gordon , Jr
(See above for address)
ATTORNEY TO BE NOTICED

Eric B Snyder
(See above for address)
ATTORNEY TO BE NOTICED

Mario A Pacella
(See above for address)
ATTORNEY TO BE NOTICED

Rebekah Keith McKinney
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Judy Sheridan

represented by **Eric B Snyder**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Brett Watts

represented by **Eric B Snyder**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Constance Dummer

represented by **Eric B Snyder**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Defendants' Counsel

represented by **Alyssa C Kalisky**
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: alyssa.kalisky@kirkland.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brooke Jones Oppenheimer
AXINN, VELTROP & HARKRIDER LLP
90 State House Square
Hartford, CT 06103
860-275-8100
Fax: 860-275-8101
Email: boppenheimer@axinn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carolyn Anne DeLone
HOGAN LOVELLS US LLP
555 Thirteenth St. NW
Washington, DC 20004
202-637-4860
Fax: 202-637-5910
Email: carrie.delone@hoganlovells.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Catherine E Stetson
HOGAN LOVELLS
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004-1109
1-202-637-5600
Email: cate.stetson@hoganlovells.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Kumagai
CRAVATH SWAINE & MOORE LLP
825 Eighth Avenue
New York, NY 10019
212-474-1000
Fax: 212-474-3700
Email: dkumagai@cravath.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erin E Murphy

KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, DC 20005
202-879-5000
Fax: 202-879-5200
Email: erin.murphy@kirkland.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joseph C Giglio , Jr
Liskow & Lewis (LAF)
P O Box 52008 O C S
Lafayette, LA 70505
337-232-7424
Fax: 337-267-2398
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mathea KE Bulander
REDGRAVE LLP
120 S. Sixth Street
Minneapolis, MN 55402
612-746-5031
Fax: 612-332-8915
Email: mbulander@redgravellp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul D Clement
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue NW
Washington, DC 20004
202-389-5000
Fax: 202-389-5200
Email: paul.clement@kirkland.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Peter R Bisio
HOGAN LOVELLS US LLP
555 13th St NW
Washington, DC 20004
202-637-5600
Fax: 202-637-5910
Email: peter.bisio@hoganlovells.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sallie E Gilbert
(See above for address)

TERMINATED: 09/27/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Travis A Bustamante
NELSON MULLINS RILEY &
SCARBOROUGH LLP
301 South College Street, 23rd Floor
Charlotte, NC 28202
704-417-3044
Fax: 704-417-3248
Email: travis.bustamante@nelsonmullins.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Egan Kellner
Liskow & Lewis (LAF)
P O Box 52008 O C S
Lafayette, LA 70505
337-232-7424
Fax: 337-267-2399
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Zachary D Holmstead
Kirkland & Ellis (IL)
300 N LaSalle St
Chicago, IL 60654
312-862-2392
Fax: 312-862-2200
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Zarel Joan Soto
REICHARD & ESCALARA LLC
MCS Plaza, 10 th floor, 255 Ponce de Leon
Ave
San Juan, PR 00917-1913
787-777-8888
Fax: 787-765-4225
Email: zsoto@reichardescalera.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Aaron G McLeod
ADAMS & REESE LLP
1901 6th Avenue North, Suite 3000
Birmingham, AL 35203
205-250-5000

Fax: 205-250-5034
Email: aaron.mcleod@arlaw.com
ATTORNEY TO BE NOTICED

Adam H Charnes
Kilpatrick Townsend & Stockton LLP
1001 W. Fourth Street
Winston-Salem, NC 27101
336-607-7397
Fax: 336-734-2602
ATTORNEY TO BE NOTICED

Alan Harris
BODMAN PLC
201 South Division Street Suite 400
Ann Arbor, MI 48104
734-761-2236
Fax: 734-930-2492
Email: aharris@bodmanlaw.com
TERMINATED: 05/31/2016

Alan D Rutenberg
FOLEY & LARDNER LLP
3000 K Street NW, Suite 600
Washington, DC 20007
202-672-5491
Fax: 202-672-5399
Email: arutenberg@foley.com
ATTORNEY TO BE NOTICED

Allison Nunley Pham
5525 Reitz Avenue
Baton Rouge, LA 70809
225-295-2199
ATTORNEY TO BE NOTICED

Andrew Phillip Campbell
CAMPBELL PARTNERS LAW, LLC
505 20th Street North Suite 1600
Birmingham, AL 35203
205-224-0750
Fax: 205-383-261
Email: andy@campbellpartnerslaw.com
ATTORNEY TO BE NOTICED

Andrew T Campbell
CAMPBELL PARTNERS
505 North 20th Street, Suite 1600
Birmingham, AL 35203
205-224-0750
Email: todd@campbellpartnerslaw.com
ATTORNEY TO BE NOTICED

Andrew D Kaplan
CROWELL & MORING LLP
1001 Pennsylvania Ave NW
Washington, DC 20004
202-624-2500
Fax: 202-628-5116
Email: akaplan@crowell.com
TERMINATED: 02/01/2016

Andrew W Martin , Jr
ARMBRECHT JACKSON LLP
PO Box 290
Mobile, AL 36601
251-405-1287
Fax: 251-432-6843
Email: awm@ajlaw.com
TERMINATED: 04/24/2013

Anna M Clark
PHILLIPS LYTTLE LLP
620 Eighth Avenue 23rd Floor
New York, NY 10018
212-759-4888
Fax: 212-308-9079
Email: aclark@phillipslytle.com
ATTORNEY TO BE NOTICED

Anne Salomon
KIRKLAND & ELLIS LLP
300 N LaSalle
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: anne.salomon@kirkland.com
ATTORNEY TO BE NOTICED

Anthony F Shelley
MILLER & CHEVALIER
900 SIXTEENTH ST. NW
900 SIXTEENTH ST. NW
Washington, DC 20006
United Sta
202-626-5924
Fax: 202-626-5801
Email: ashelley@milchev.com
ATTORNEY TO BE NOTICED

Antonio M Clayton
CLAYTON & FRUGE
3741 LA Highway 1 South
Port Allen, LA 70767

225-344-7000
Fax: 225-383-7631
Email: tcclaytonlaw@aol.com
ATTORNEY TO BE NOTICED

April N Ross
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
205-624-2500
Fax: 205-628-5116
Email: aross@crowell.com
ATTORNEY TO BE NOTICED

Arthur Patrick Fritzinger
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
215-665-7264
Email: afritzinger@cozen.com
ATTORNEY TO BE NOTICED

Ashley M Lowe
Baker, Donelson, Bearman, Caldwell &
Berkowitz, PC (Knox)
265 Brookview Centre Way
Suite 600
Knoxville, TN 37919
865-549-7000
Fax: 865-633-7207
ATTORNEY TO BE NOTICED

Brian Justin Kapatkin
FOLEY & LARDNER LLP
3000 K Street NW
Suite 600
Washington, DC 20007
202-945-6054
Email: bkapatkin@foley.com
TERMINATED: 09/20/2018
ATTORNEY TO BE NOTICED

Brian P Kappel
LIGHTFOOT FRANKLIN & WHITE
LLC
400 20th Street North
Birmingham, AL 35203
205-581-0700
Fax: 205-581-0799
Email: bkappel@lightfootlaw.com
TERMINATED: 08/22/2022
ATTORNEY TO BE NOTICED

Brian K Norman

SHAMOUN & NORMAN LLP
1800 Valley View Lane Suite 200
Farmers Branch, TX 75234
214-987-1745
Fax: 214-521-9033
Email: bkn@snlegal.com
ATTORNEY TO BE NOTICED

Bruce F Rogers

BAINBRIDGE MIMS ROGERS &
SMITH LLP
600 Luckie Drive
Suite 415
PO Box 530886
Birmingham, AL 35253
205-879-1100
Fax: 205-879-4300
Email: brogers@bainbridgemims.com
ATTORNEY TO BE NOTICED

Carl S Burkhalter

MAYNARD COOPER & GALE PC
AmSouth Harbert Plaza, Suite 2400
1901 6th Avenue North
Birmingham, AL 35203-2618
254-1000
Email: cburkhalter@maynardcooper.com
ATTORNEY TO BE NOTICED

Carlos M Hernandez-Burgos

REICHARD & ESCALERA
PO Box 364148
San Juan, PR 00936-4148
787-777-8819
Fax: 787-765-4225
Email: hernandezc@reichardescalera.com
TERMINATED: 06/29/2016

Casey R Fronk

KIRKLAND & ELLIS LLP
300 North Lasalle
Chicago, IL 60654
312-862-3084
Fax: 312-862-2200
Email: cfronk@kirkland.com
TERMINATED: 09/24/2020
ATTORNEY TO BE NOTICED

Cavender C Kimble

BALCH & BINGHAM LLP

PO Box 306
1901 6th Avenue N, Suite 1500
Birmingham, AL 35201-0306
205-226-3437
Fax: 205-488-5860
Email: ckimble@balch.com
ATTORNEY TO BE NOTICED

Chad Dwight Hansen
Kilpatrick Townsend & Stockton LLP
1001 W Fourth Street
Winston-Salem, NC 27101
336-607-7352
Fax: 336-734-2780
ATTORNEY TO BE NOTICED

Charles A. O'Brien , III
P.O. Box 98029
5525 Reitz Avenue
Baton Rouge, LA 70898-9029
225-295-2454
Fax: 225-297-2760 FAX
ATTORNEY TO BE NOTICED

Charles L Sweeris
BLUE SHIELD OF CALIFORNIA
50 Beale Street, 22nd Floor
San Francisco, CA 94105
415-229-5107
Fax: 415-229-5343
Email: charles.sweeris@blueshieldca.com
TERMINATED: 12/20/2019
ATTORNEY TO BE NOTICED

Cheri D Green
BRUNINI GRANTHAM GROWER &
HEWES PLLC
190 E Capitol Street
Suite 100
Jackson, MS 39201
601-960-6864
Email: CDGreen@bcbsms.com
ATTORNEY TO BE NOTICED

Christa C Cottrell
KIRKLAND & ELLIS LLP
300 North Lasalle
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: ccottrell@kirkland.com
ATTORNEY TO BE NOTICED

Christine Varney
CRAVATH SWAINE & MOORE
825 8th Avenue
New York, NY 10019
212-474-1000
Email: cvarney@cravath.com
ATTORNEY TO BE NOTICED

Christopher G Scanlon
FAEGRE BAKER DANIELS LLP –
Indianapolis
300 North Meridian Street
Suite 2700
Indianapolis, IN 46204
(317)237-0300
Fax: (317)237-1000
ATTORNEY TO BE NOTICED

Christopher A Shapley
BRUNINI GRANTHAM GROWER &
HEWES PLLC
284 E Capitol Street, Suite 1400
PO Drawer 119
Jackson, MS 39201
601-948-3101
Fax: 601-960-6902
Email: cshapley@brunini.com
TERMINATED: 09/26/2018
ATTORNEY TO BE NOTICED

Courtney B Green
GREENBERG TRAURIG PA
333 S. E. 2nd Avenue
Miami, FL 33131
305-579-0681
Fax: 305-961-5681
Email: greenco@gtlaw.com
TERMINATED: 09/03/2018
ATTORNEY TO BE NOTICED

Craig A Hoover
HOGAN LOVELLS US LLP
555 13th Street
Washington, DC 20004
202-637-5694
Fax: 202-637-5910
Email: craig.hoover@hoganlovells.com
ATTORNEY TO BE NOTICED

D Keith Andress
BAKER DONELSON BEARMAN

CALDWELL & BERKOWITZ PC
420 North 20th Street, Suite 1400
1400 Wells Fargo Tower
Birmingham, AL 35203
205-328-0480
Fax: 205-488-3846
Email: kandress@bakerdonelson.com
TERMINATED: 04/20/2017

D Bruce Hoffman
HUNTON & WILLIAMS LLP
2200 Pennsylvania Ave NW
Washington, DC 20037
202-955-1619
Fax: 202-778-2201
Email: bhoffman@hunton.com
TERMINATED: 08/07/2017

D Kent Meyers
Crowe & Dunlevy-OKC
20 N Broadway Ave
Suite 1800
Oklahoma City, OK 73102
405-235-7729
Fax: 405-272-5245
ATTORNEY TO BE NOTICED

Daniel E Laytin
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: daniel.laytin@kirkland.com
ATTORNEY TO BE NOTICED

Daniel R Taylor , Jr.
KILPATRICK TOWNSEND &
STOCKTON LLP
1001 West Fourth Street
Winston Salem, NC 27101
336-607-7300
Fax: 336-607-7500
Email: dantaylor@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

David A Coulson
GREENBERG TRAURIG PA
333 S. E. 2nd Avenue
Miami, FL 33131
305-579-0754
Fax: 305-961-5754

Email: coulsond@gtlaw.com
ATTORNEY TO BE NOTICED

David Newmann
HOGAN LOVELLS US LLP
1835 Market Street 29th Floor
Philadelphia, PA 19103
267-675-4600
Fax: 267-675-4601
Email: david.newmann@hoganlovells.com
ATTORNEY TO BE NOTICED

David J Zott
Kirkland & Ellis LLP
300 North LaSalle
Chicago, IL 60654
312.862.2000
Fax: 312.862.2200
Email: david.zott@kirkland.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Devin Clarke Dolive
BURR & FORMAN LLP
420 North 20th Street, Suite 3400
Birmingham, AL 35203
205-251-3000
Fax: 205-458-5100
Email: ddolive@burr.com
ATTORNEY TO BE NOTICED

Douglass C.E. Farnsley
STITES & HARBISON PLLC
400 W. Market Street, Suite 1800
Louisville, KY 40202
502-587-3400
Fax: 502-779-8268
Email: dfarnsley@stites.com
ATTORNEY TO BE NOTICED

E Desmond Hogan
HOGAN LOVELLS US LLP
555 13th Street
Washington, DC 20004
202-637-5493
Fax: 202-637-5910
Email: desmond.hogan@hoganlovells.com
ATTORNEY TO BE NOTICED

Edward S Bloomberg
PHILLIPS LYTTLE LLP
One Canalside

125 Main Street
Buffalo, NY 14203-2887
716-847-8400
Fax: 716-852-6100
Email: EBloomberg@phillipslytle.com
ATTORNEY TO BE NOTICED

Elizabeth A Jose
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
202-637-5460
Fax: 202-637-5910
Email: elizabeth.jose@hoganlovells.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Elizabeth Barnett LaBauve
Crowe & Dunlevy-OKC
20 N Broadway Ave
Suite 1800
Oklahoma City, OK 73102
405-239-6608
Fax: 405-272-5247
ATTORNEY TO BE NOTICED

Emily M Yinger
HOGAN LOVELLS US LLP
8350 Broad Street
17th Floor
Tysons, VA 22102
703-610-6100
Fax: 703-610-6200
Email: emily.yinger@hoganlovells.com
ATTORNEY TO BE NOTICED

Eric White
KIRKLAND & ELLIS LLP
300 N LaSalle
Chicago, IL 60654
312-862-2992
Email: eric.white@kirkland.com
ATTORNEY TO BE NOTICED

Erica Zolner
KIRKLAND & ELLIS LLP
300 N. Lasalle Street
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: erica.zolner@kirkland.com

TERMINATED: 07/22/2021
ATTORNEY TO BE NOTICED

Erik F Benny
FOLEY & LARDNER LLP
3000 K St NW
Washington, DC 20007
202-295-4144
Fax: 202-672-5399
Email: ebenny@foley.com
TERMINATED: 08/14/2018
ATTORNEY TO BE NOTICED

Erin M Wilson
LANE POWELL PC
1420 Fifth Avenue
Suite 4100
Seattle, WA 98101-2338
206-223-7432
Fax: 206-223-7107
Email: wilsonem@lanepowell.com
ATTORNEY TO BE NOTICED

Evan Chesler
CRAVATH SWAINE & MOORE
825 8th Avenue
New York, NY 10019
212-474-1000
Email: EChesler@cravath.com
ATTORNEY TO BE NOTICED

Gary M London
BURR & FORMAN LLP
Southtrust Tower, Suite 3100
420 North 20th Street
Birmingham, AL 35203
251-3000
Fax: 458-5100
Email: glondon@burr.com
ATTORNEY TO BE NOTICED

Gary C Shockley
Baker, Donelson, Bearman & Caldwell –
Nashville
511 Union Street
Suite 1700
Nashville, TN 37219
615-726-5600
Fax: 615-744-5704
ATTORNEY TO BE NOTICED

Gordon S Rather , Jr.

WRIGHT LINDSEY & JENNINGS LLP
200 West Capitol Avenue
Suite 2300
Little Rock, AR 72201
501-371-0808
Fax: 501-376-9442
Email: grather@wlj.com
TERMINATED: 04/10/2014

Grace Robinson Murphy
MAYNARD COOPER & GALE PC
1901 6th Avenue North
AmSouth Harbert Plaza, Suite 2400
Birmingham, AL 35203-2618
205-254-1170
Fax: 205-254-6388
Email: gmurphy@maynardcooper.com
ATTORNEY TO BE NOTICED

Gregory Haynes
Wyatt, Tarrant & Combs LLP – Louisville
500 West Jefferson Street, Suite 2800
Louisville, KY 40202-2898
502-562-7363
Fax: 502-589-0309
ATTORNEY TO BE NOTICED

Gustavo Adolfo Pabon Rico
REICHARD & ESCALERA LLP
MCS Plaza, 10th Floor, 255 Ponce de Len
Ave.,
San Juan, PR 00917-1913
787-777-8819
Fax: 787-765-4225
Email: pabong@reichardescalera.com
ATTORNEY TO BE NOTICED

Gwendolyn C Payton
Kilpatrick Townsend & Stockton LLP
1420 5th Ave.
Suite 3700
Seattle, WA 98101
206-467-9600
Fax: 206-623-6793
Email: gpayton@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

Helen E Witt
KIRKLAND & ELLIS LLP
300 North LaSalle St
Chicago, IL 60654
312-862-2148

Fax: 312-862-2200
Email: hwitt@kirkland.com
ATTORNEY TO BE NOTICED

Henry James Koch
ARMBRECHT JACKSON LLP
PO Box 290
Mobile, AL 36601
251-405-1300
Fax: 251-432-6843
Email: hjk@ajlaw.com
TERMINATED: 08/24/2022
ATTORNEY TO BE NOTICED

Honor R Costello
CROWELL & MORING LLP
590 Madison Avenue
New York, NY 10022
212-803-4064
Fax: 212-223-4134
Email: hcostello@crowell.com
TERMINATED: 08/16/2022
ATTORNEY TO BE NOTICED

Ian R Conner
KIRKLAND & ELLIS LLP
655 Fifteenth Street, NW
Washington, DC 20005
202-879-5000
Fax: 202-879-5200
Email: ian.conner@kirkland.com
TERMINATED: 09/08/2017
ATTORNEY TO BE NOTICED

J Bentley Owens , III
ELLIS HEAD OWENS & JUSTICE
PO Box 587
Columbiana, AL 35051
205-669-6783
Fax: 205-669-4932
Email: bowens@wefhlaw.com
ATTORNEY TO BE NOTICED

J Robert Robertson
HOGAN LOVELLS US LLP
555 13th Street NW
Washington, DC 20004
202-637-5600
Fax: 202-637-5910
Email: robby.robertson@hoganlovells.com
TERMINATED: 06/08/2018
ATTORNEY TO BE NOTICED

JEREMY D. FEINSTEIN
REED SMITH LLP
REED SMITH CENTRE
225 FIFTH AVE
PITTSBURGH, PA 15222-2716
412-288-7972
ATTORNEY TO BE NOTICED

Jacob Joel Franz
MAYNARD, COOPER & GALE, PC
1901 Sixth Avenue North, Ste. 2400
Birmingham, Al 35203
205-254-1983
Fax: 205-254-1999
Email: jfranz@maynardcooper.com
TERMINATED: 09/18/2017

James A McCullough , II
BRUNINI GRANTHAM GROWER &
HEWES PLLC
190 E Capitol Street Suite 100
Jackson, MS 39201
601-948-3101
Fax: 601-960-6902
Email: jmccullough@brunini.com
ATTORNEY TO BE NOTICED

James L Priestster
MAYNARD COOPER GALE PC
1901 6th Avenue North
Suite 2400
Birmingham, AL 35203
205-254-1052
Fax: 205-254-1999
Email: jpriester@maynardcooper.com
TERMINATED: 01/05/2022
ATTORNEY TO BE NOTICED

James M Terrell
(See above for address)
ATTORNEY TO BE NOTICED

James Thomas Williams , Jr.
Brooks, Pierce, McLendon, Humphrey &
Leonard, LLP
230 North Elm Street, Suite 2000 [27401]
P. O. Box 26000
Greensboro, NC 27420-6000
336-271-3107
Fax: 336-232-9107
ATTORNEY TO BE NOTICED

Jarod M Taylor

AXINN VELTROP & HARKRIDER LLP
90 State House Square
Hartford, CT 06103
860-275-8109
Fax: 860-275-8101
Email: jtaylor@axinn.com
ATTORNEY TO BE NOTICED

Jason Gourley

BODMAN PLC
1901 Saint Antoine Street
Detroit, MI 48226
313-392-1063
Fax: 313-393-7579
Email: jgourley@bodmanlaw.com
ATTORNEY TO BE NOTICED

Jeffrey J Zeiger

KIRKLAND & ELLIS, LLP
300 North LaSalle
Chicago, IL 60654
312-862-3237
Email: jeffrey.zeiger@kirkland.com
ATTORNEY TO BE NOTICED

Jennifer Kay Van Zant

BROOKS PIERCE MCLENDON
HUMPHREY & LEONARD, LLP
230 N. Elm Street, Suite 2000
Greensboro, NC 27420
336-271-3132
Fax: 336-232-9132
Email: jvanzant@brookspierce.com
PRO HAC VICE

Jeny M Maier

AXINN, VELTROP & HARKRIDER LLP
950 F Street, N.W.
Washington, DC 20004
202-469-3532
Fax: 202-912-4701
Email: jmaier@axinn.com
ATTORNEY TO BE NOTICED

Jess Randall Nix

SPOTSWOOD SANSOM & SANSBURY
LLC
505 20th Street North, Ste 700
Birmingham, AL 35203
205-986-3620

Fax: 205-986-3639
Email: jnix@spotswoodllc.com
ATTORNEY TO BE NOTICED

Jessica Staiger
KIRKLAND & ELLIS LLP
300 North Lasalle
Chicago, IL 60654
312-862-2000
Fax: 312-962-2200
Email: jessica.staiger@kirkland.com
TERMINATED: 04/11/2019
ATTORNEY TO BE NOTICED

John D Briggs
AXINN VELTROP HARKRIDER LLP
950 F Street NW
Washington, DC 20004
202-912-4700
Email: jdb@avhlaw.com
ATTORNEY TO BE NOTICED

John Stone Campbell , III
Taylor, Porter, Brooks & Phillips
P. O. Box 2471
Baton Rouge, LA 70821
225-387-3221
Fax: 225-346-8049 FAX
ATTORNEY TO BE NOTICED

John M Johnson
LIGHTFOOT FRANKLIN & WHITE
LLC
400 20th Street North
Birmingham, AL 35203
205-581-0700
Fax: 205-581-0799
Email: jjohnson@lightfootlaw.com
TERMINATED: 08/22/2022
ATTORNEY TO BE NOTICED

John T A Malatesta , III
MAYNARD COOPER GALE PC
AmSouth Harbert Plaza, Suite 2400
1901 Sixth Avenue North
2400 Regions/Harbert Plaza
Birmingham, AL 35203-2618
205-254-1000
Fax: 205-254-1999
Email: jmalatesta@maynardcooper.com
ATTORNEY TO BE NOTICED

John Martin

NELSON MULLINS RILEY &
SCARBOROUGH LLP

1320 Main Street, 17th Floor

Columbia, SC 29201

803-255-9421

Fax: 803-255-9054

Email: john.martin@nelsonmullins.com

ATTORNEY TO BE NOTICED

John Gary Maynard

HUNTON & WILLIAMS LLP

951 E Byrd Street

Richmond, VA 23219

804-788-8772

Fax: 804-788-8218

Email: jgmaynard@hunton.com

ATTORNEY TO BE NOTICED

John W Reis

(See above for address)

ATTORNEY TO BE NOTICED

John G Schmidt , Jr

PHILLIPS LYTLE LLP

125 Main Street One Canalside

Buffalo, NY 14203-2887

716-847-7095

Fax: 716-852-6100

Email: jschmidt@phillipslytle.com

ATTORNEY TO BE NOTICED

Jonathan M Redgrave

REDGRAVE LLP

14555 Avion Parkway

Suite 275

Chantilly, VA 20151

703.592.1155

Fax: 612-332-8915

Email: jredgrave@redgravellp.com

ATTORNEY TO BE NOTICED

Joshua K Payne

SPOTSWOOD SANSOM & SANSBURY
LLC

505 20th Street North Suite 700

Birmingham, AL 35203

205-986-3620

Fax: 205-986-3639

Email: jpayne@spotswoodllc.com

ATTORNEY TO BE NOTICED

Kail J Jethmalani

AXINN, VELTROP & HARKRIDER LLP
114 West 47th Street
New York, NY 10036
212-261-5649
Fax: 212-728-2201
Email: kjethmalani@axinn.com
ATTORNEY TO BE NOTICED

Karin DeMasi

CRAVATH SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
212-474-1059
Fax: 212-474-3700
Email: kdemasi@cravath.com
ATTORNEY TO BE NOTICED

Kathleen Taylor Sooy

CROWELL AND MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
202-624-2500
Fax: 202-628-5116
Email: ksooy@crowell.com
ATTORNEY TO BE NOTICED

Kenina Lee

AXINN VELTROP & HARKRIDER LLP
950 F St. NW
Washington, DC 20004
202-912-4700
Email: kjl@avhlaw.com
ATTORNEY TO BE NOTICED

Kimberly R West

WALLACE JORDAN RATLIFF &
BRANDT LLC
P.o. Box 530910
Birmingham, AL 35253
205-870-0555
Fax: 205-871-7534
Email: kwest@wallacejordan.com
ATTORNEY TO BE NOTICED

Kristen Jordana Gillis

MEANS GILLIS LAW, PC
60 Commerce Street , Suite 200
P.O. Box 5058
Montgomery, AL 36103
334-277-7679

Fax: 334-260-9396
Email: kjgillis@meansgillislaw.com
ATTORNEY TO BE NOTICED

L. Adam Thames
Taylor, Porter, Brooks & Phillips
P. O. Box 2471
Baton Rouge, LA 70821
225-381-0272
Fax: 225-346-8049
ATTORNEY TO BE NOTICED

Lauren R Kennedy
(See above for address)
ATTORNEY TO BE NOTICED

Lezlie Madden
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
215-665-7286
Email: lmadden@cozen.com
ATTORNEY TO BE NOTICED

Lucile Cohen
NELSON MULLINS RILEY &
SCARBOROUGH LLP
1320 Main Street 17th Floor
Columbia, SC 29201
803-225-9332
Fax: 803-225-5922
Email: lucie.cohen@nelsonmullins.com
ATTORNEY TO BE NOTICED

M Patrick McDowell
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Margaret Pepple
Quinn Emanuel Urquhart & Sullivan, LLP
500 West Madison
Suite 2450
Chicago, IL 60661
(312) 705-7400
Email: margaret.pepple@kirkland.com
TERMINATED: 06/15/2016

Margot Miller
CRAVATH SWAINE & MOORE
825 8th Avenue
New York, NY 10019

212-474-1000
Email: mamiller@cravath.com
ATTORNEY TO BE NOTICED

Mark Montgomery Hogewood
WALLACE JORDAN RATLIFF &
BRANDT, LLC
800 Shades Creek Parkway, Ste. 400
Birmingham, AL 35209
205-870-0555
Fax: 205-871-7534
Email: mhogewood@wallacejordan.com
ATTORNEY TO BE NOTICED

Mark Edward McKane
Kirkland and Ellis
555 California Street, Suite 2700
San Francisco, CA 94104
415-439-1473
ATTORNEY TO BE NOTICED

Mary Godwin Menge
SPOTSWOOD, SANSOM &
SANSBURY, LLC
One Federal Place 1819 Fifth Avenue
North, Suite 1050
Birmingham, AL 35203
205-278-1503
Fax: 205-986-3639
Email: mmenge@spotswoodllc.com
TERMINATED: 08/27/2019
ATTORNEY TO BE NOTICED

Mary C St John
BLUE SHIELD OF CALIFORNIA
50 Beale Street, 22nd Floor
San Francisco, CA 94105
415-229-5021
Fax: 415-229-5343
Email: Marcy.St.John@blueshieldca.com
ATTORNEY TO BE NOTICED

Matthew L Bleich
COZEN O'CONNOR
One Liberty Place
1650 Market Street
Suite 2800
Philadelphia, PA 19103
215-665-6918
Fax: 215-701-2210
Email: mbleich@cozen.com
ATTORNEY TO BE NOTICED

Matthew G White

BAKER DONELSON BEARMAN
CALDWELL & BERKOWITZ– Memphis
First Tennessee Bank Building
165 Madison Ave.
Ste. 2000
Memphis, TN 38103
901–577–8182
Fax: 901–577–0724
ATTORNEY TO BE NOTICED

Michael Paul Fruge

CLAYTON & FRUGE
3741 LA Highway 1 South
Port Allen, LA 70767
225–344–7000
Fax: 225–383–7631
Email: michaelfruge@claytonfrugelaw.com
ATTORNEY TO BE NOTICED

Michael Wyld Lieberman

Crowell & Moring LLP
1001 Pennsylvania Ave., NW
Washington, DC 20004
202–624–2776
Fax: 202–628–5116
Email: MLieberman@crowell.com
TERMINATED: 08/16/2022
ATTORNEY TO BE NOTICED

Michael A Naranjo

FOLEY & LARDNER LLP
555 California Street, 17th Floor
San Francisco, CA 94589
415–984–9847
Fax: 415–434–4507
Email: mnaranjo@foley.com
ATTORNEY TO BE NOTICED

Michael Sansbury

SPOTSWOOD SANSOM & SANSBURY
LLC
1819 5th Avenue North
Suite 1050
Birmingham, AL 35203
205–986–3620
Fax: 986–3639
Email: msansbury@spotswoodllc.com
ATTORNEY TO BE NOTICED

Morgan Brooke Franz

SPOTSWOOD SANSOM & SANSBURY
1819 Fifth Ave. North, Suite 1050
Birmingham, AL 35203
205-986-3635
Email: mfranz@spotswoodllc.com
ATTORNEY TO BE NOTICED

N Thomas Connally , III
HOGAN LOVELLS US LLP
8350 Broad Street
17th Floor
Tysons, VA 22102
703-610-6100
Fax: 703-610-6200
Email: tom.connally@hoganlovells.com
ATTORNEY TO BE NOTICED

Norman E Bailey , Jr
Brunini Grantham Grower & Hewes PLLC
190 E Capitol Street Suite 100
Jackson, MS 39201
601-948-3101
Fax: 601-960-6902
Email: bbailey@brunini.com
ATTORNEY TO BE NOTICED

Pamela B Slate
HILL HILL CARTER FRANCO COLE &
BLACK PC
425 S Perry Street
Montgomery, AL 36104
334-834-7600
Fax: 334-386-4381
Email: pslate@hillhillcarter.com
ATTORNEY TO BE NOTICED

Paul K Leary , Jr
COZEN O'CONNOR
1900 Market St
Philadelphia, PA 19103
215-665-6911
Fax: 215-665-2013
Email: pleary@cozen.com

Paul A. Wolfla
FAEGRE BAKER DANIELS LLP –
Indianapolis
300 North Meridian Street
Suite 2700
Indianapolis, IN 46204
(317) 237-0300
Fax: (317) 237-1000

Pedro Santiago-Rivera
REICHARD & ESCALERA
255 Ponce De Leon Ave.
MCS Plaza, Tenth Floor
San Juan 00917-1913
P Rico
787-777-8888
Fax: 787-765-4225
Email: santiagopedro@reichardescalera.com
TERMINATED: 04/06/2015

Peter W Zuger
SERKLAND LAW FIRM
PO BOX 6017
FARGO, ND 58108-6017
701-232-8957
Email: pzuger@serklandlaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

R Mark Glover
BAKER DONELSON BEARMAN
CALDWELL & BERKOWITZ- Memphis
First Tennessee Bank Building
165 Madison Ave.
Ste. 2000
Memphis, TN 38103
901-526-2000
Fax: 901-577-2303
ATTORNEY TO BE NOTICED

R David Kaufman
BRUNINI GRANTHAM GROWER &
HEWES PLLC
190 E Capitol Street, Suite 100
Jackson, MS 39201
601-948-3101
Fax: 601-960-6902
Email: dkaufman@brunini.com
ATTORNEY TO BE NOTICED

Rachel J Adcox
AXINN VELTROP HARKRIDER LLP
950 F Street NW
Washington, DC 20004
202-912-4700
Fax: 202-912-4701
Email: rja@avhlaw.com
ATTORNEY TO BE NOTICED

Rafael Escalera-Rodriguez

REICHARD & ESCALERA
255 Ponce De Leon Ave.
MCS Plaza, Tenth Floor
San Juan 00917-1913
P. Rico
787-777-8888
Fax: 787-765-4225
Email: escalera@reichardescalera.com
ATTORNEY TO BE NOTICED

Randall D Noel
(See above for address)
TERMINATED: 11/08/2013

Robert F Leibenluft
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
202-637-5789
Fax: 202-637-5910
PRO HAC VICE
ATTORNEY TO BE NOTICED

Robert R Riley , Jr
RILEY & JACKSON PC
3530 Independence Drive
Birmingham, AL 35209
205-879-5000
Fax: 205-879-5901
Email: rob@rileyjacksonlaw.com
ATTORNEY TO BE NOTICED

Robert K Spotswood
SPOTSWOOD SANSOM & SANSBURY
LLC
1819 5th Avenue North
Suite 1050
Birmingham, AL 35203
205-986-3620
Fax: 205-986-3639
Email: rks@spotswoodllc.com
ATTORNEY TO BE NOTICED

Rowan D Wilson
CRAVATH SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
212-474-1000
Fax: 212-474-3700
Email: rwilson@cravath.com

SHANNON ELISE MCCLURE
REED SMITH LLP
2500 ONE LIBERTY PLACE
1650 MARKET ST.
PHILADELPHIA, PA 19103
215-851-8226
ATTORNEY TO BE NOTICED

STEPHEN A. LONEY, JR.
HOGAN & HARTSON
1835 MARKET ST.
PHILADELPHIA, PA 19103
267-675-4677
Fax: 215-988-2757
ATTORNEY TO BE NOTICED

Samantha A Robbins
FOLEY & LARDNER LLP
3000 K St NW
Washington, DC 20007
202-295-4776
Fax: 202-672-5399
Email: srobbins@foley.com
ATTORNEY TO BE NOTICED

Samuel Andrew Diddle
EBERLE BERLIN KADING TURNBOW
& MCKLVEEN
POB 1368
Boise, ID 83701
(208) 344-8535
ATTORNEY TO BE NOTICED

Sarah Lynn Cylkowski
BODMAN PLC
1901 Saint Antoine Street
Detroit, MI 48226
313-392-1077
Fax: 313-259-7579
Email: scylkowski@bodmanlaw.com
ATTORNEY TO BE NOTICED

Sarah J Donnell
KIRKLAND & ELLIS LLP
300 North Lasalle
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: sdonnell@kirkland.com
ATTORNEY TO BE NOTICED

Sarah S Glover

MAYNARD COOPER & GALE PC
1901 Sixth Avenue North
Suite 2400
Birmingham, AL 35203
205-254-1877
Fax: 205-254-1999
Email: sglover@maynardcooper.com
ATTORNEY TO BE NOTICED

Scott S Brown

Mixon Firm, LLC
2 Perimeter Park South, Ste. 550E
Birmingham, AL 35243
205-259-6633
Fax: 877-334-9603
Email: sbrown@mixonfirm.com
ATTORNEY TO BE NOTICED

Scott A Irby

WRIGHT LINDSEY & JENNINGS LLP
200 West Capitol Avenue
Suite 2300
Little Rock, AR 72201
501-371-0808
Fax: 501-376-9442
Email: sirby@wlj.com
TERMINATED: 04/10/2014

Scott F Singley

BRUNINI GRANTHAM GROWER &
HEWES PLLC
410 Main Street
PO Box 7520
Columbus, MS 39705
662-240-9744
Fax: 662-240-4127
Email: ssingley@brunini.com
ATTORNEY TO BE NOTICED

Stephen A Rowe

ADAMS & REESE LLP
1901 6th Avenue North
Suite 3000
Birmingham, AL 35203
205-250-5000
Fax: 205-250-5034
Email: steve.rowe@arlaw.com
ATTORNEY TO BE NOTICED

Stephen D Wadsworth

CAMPBELL PARTNERS

505 North 20th Street Suite 1600
Birmingham, AL 35203
2055206723
Email: Stephen.wadsworth@usdoj.gov
TERMINATED: 05/17/2019
ATTORNEY TO BE NOTICED

Susan Smelcer
AXINN VELTROP & HARKRIDER
950 F Street NW
Washington, DC 20005
202-469-3537
Fax: 202-912-4701
Email: ssmelcer@axinn.com
TERMINATED: 04/29/2019
ATTORNEY TO BE NOTICED

Sylvia Maria Arizmendi
REICHARD & ESCALERA
255 Ponce de Leon Ave. Hato Rey
San Juan, PR
939-397-3879
Fax: 787-765-4225
Email: arizmendis@reichardescalera.com
ATTORNEY TO BE NOTICED

Theresa (Tess) S Gee
MILLER & CHEVALIER CHARTERED
900 Sixteenth St. NW
Washington, DC 20006
202-626-5928
Fax: 202-626-5801
Email: tgee@milchev.com
ATTORNEY TO BE NOTICED

Thomas J Rheume , Jr.
BODMAN PLC
1901 St Antoine 6th Floor at Ford Field
Detroit, MI 48226
313-392-1074
Email: trheume@bodmanlaw.com
ATTORNEY TO BE NOTICED

Todd M Stenerson
Shearman & Sterling LLP
401 9th Street, NW
Suite 800
Washington, DC 20004-2128
United Sta
202-508-8093
Fax: 205-508-8100
Email: todd.stenerson@shearman.com

ATTORNEY TO BE NOTICED

Tracy A Roman
CROWELL AND MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
202-624-2500
Fax: 202-628-5116
Email: troman@crowell.com
ATTORNEY TO BE NOTICED

Tyrone Carlton Means
MEANS GILLIS LAW LLC
60 Commerce Street, Ste. 200
Montgomery, AL 36104
334-270-1033
Fax: 334-260-9396
Email: tcmeans@meansgillislaw.com
ATTORNEY TO BE NOTICED

Victoria Ann Redgrave
REDGRAVE LLP
601 Pennsylvania Ave
Washington, DC 20004
202-681-2505
Fax: 612-332-8915
Email: awelbon@redgravellp.com
ATTORNEY TO BE NOTICED

Yawanna Nabors McDonald
CAMPBELL PARTNERS
505 North 20th Street Suite 1600
Birmingham, AL 35203
205-224-0756
Fax: 205-383-2646
Email: yawanna@campbellpartnerslaw.com
ATTORNEY TO BE NOTICED

Zach Holmstead
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
312-862-2000
Fax: 312-862-2200
Email: zachary.holmstead@kirkland.com
ATTORNEY TO BE NOTICED

Zachary W Best
HOGAN LOVELLS US LLP
555 13th Street NW
Washington, DC 20004
202-637-5600

Fax: 202-637-5910
Email: zachary.best@hoganlovells.com
TERMINATED: 02/27/2020
ATTORNEY TO BE NOTICED

Defendant

Anthem, Inc.

represented by **Claudine Columbres**
WHITE & CASE LLP
1221 Avenue of the Americas
New York, NY 10020
212-819-8200
Fax: 212-354-8113
Email: ccolumbres@whitecase.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Glenn M Kurtz
WHITE & CASE LLP
1221 Avenue of the Americas , NY 10020
212-819-8200
Fax: 212-354-8113
Email: gkurtz@whitecase.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lucile Cohen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew W Hammond
WHITE & CASE LLP
1221 Avenue of the Americas
New York, NY 10020
212-819-8200
Fax: 212-354-8113
Email: ahammond@whitecase.com
ATTORNEY TO BE NOTICED

Edgar R Haden
BALCH & BINGHAM LLP
1901 6th Avenue North
Suite 1500
Birmingham, AL 35201
205-251-8100
Fax: 205-488-5648
Email: ehaden@balch.com
ATTORNEY TO BE NOTICED

Defendant

represented by

**Excellus Health Plan, Inc. d/b/a
Excellus BlueCrossBlueShield**

John G Schmidt , Jr
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen A Walsh
WEINBURG, WHEELER, HUDGINS,
GUNN & DIAL, LLC
100 Corporate Parkway
One Lake Level
Birmingham, AL 35242
205-572-4107
Fax: 205-572-4199
Email: swalsh@wwhgd.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Anna M Clark
(See above for address)
ATTORNEY TO BE NOTICED

Edward S Bloomberg
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Premera Blue Cross

represented by **Gwendolyn C Payton**
(See above for address)
LEAD ATTORNEY

Erin M Wilson
(See above for address)
TERMINATED: 07/18/2017

Defendant

Blue Cross Blue Shield of Arizona

represented by **Blue Cross Blue Shield of Arizona**
2444 West Las Palmaritas Drive
Phoenix, AZ 85021
PRO SE

Kathleen Taylor Sooy
(See above for address)
TERMINATED: 01/24/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah M. Gilbert
CROWELL & MORING LLP
590 Madison Ave., 20th Floor
New York, NY 10022
212-895-4226

Email: sgilbert@crowell.com
TERMINATED: 01/24/2022
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Tracy A Roman
(See above for address)
TERMINATED: 01/24/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Health Care Service Corporation

represented by **Jeffrey John Fowler**
O'MELVENY & MYERS LLP
400 S. Hope Street
Los Angeles, CA 90071
213-430-6000
Fax: 213-430-6407
Email: JFowler@omm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
ATTORNEY TO BE NOTICED

Jeffrey J Zeiger
(See above for address)
ATTORNEY TO BE NOTICED

Mark Montgomery Hogewood
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Highmark Inc.

represented by **Erica Zolner**
(See above for address)
TERMINATED: 07/22/2021
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
ATTORNEY TO BE NOTICED

Kimberly R West
(See above for address)
ATTORNEY TO BE NOTICED

Sydney L Schneider
KIRKLAND & ELLIS LLP

300 N. LaSalle
Chicago, IL 60654
312-862-3789
Fax: 312-862-2200
Email: sydney.schneider@kirkland.com
ATTORNEY TO BE NOTICED

Defendant

Blue Shield of California

represented by **Casey R Fronk**
(See above for address)
TERMINATED: 09/24/2020
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
TERMINATED: 06/22/2021
ATTORNEY TO BE NOTICED

Kimberly R West
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Blue Cross and Blue Shield of
Alabama**
c/o Burr & Forman LLP
420 n 20th St
Ste 3400
Birmingham, AL 35203

represented by **Luther M Dorr , Jr**
MAYNARD COOPER & GALE PC
1901 6th Avenue North, Suite 2400
Birmingham, AL 35203-2618
205-254-1000
Fax: 254-1999
Email: rdorr@maynardcooper.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert S W Given
BURR & FORMAN LLP
420 North 20th Street
Southtrust Tower, Suite 3400
Birmingham, AL 35203
205-251-3000
Fax: 205-244-5645
Email: rgiven@burr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl S Burkhalter
(See above for address)
ATTORNEY TO BE NOTICED

Jacob Joel Franz
(See above for address)
TERMINATED: 09/18/2017

James L Priestler

(See above for address)

TERMINATED: 01/20/2022

John T A Malatesta , III

(See above for address)

ATTORNEY TO BE NOTICED

Winnifred Lewis

(See above for address)

TERMINATED: 07/11/2019

ATTORNEY TO BE NOTICED

Defendant

**Caring for Montanans, Inc. f/k/a Blue
Cross and Blue Shield of Montana,
Inc.**

represented by **Jeffrey John Fowler**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Erica Zolner

(See above for address)

TERMINATED: 07/22/2021

ATTORNEY TO BE NOTICED

Helen E Witt

(See above for address)

ATTORNEY TO BE NOTICED

Jeffrey J Zeiger

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Blue Cross Blue Shield Michigan

represented by **Andrew Phillip Campbell**

(See above for address)

ATTORNEY TO BE NOTICED

Cason M Kirby

CAMPBELL PARTNERS

505 20th Street North Suite 1600

Birmingham, AL 35203

205-224-0750

Email: cason@campbellpartnerslaw.com

ATTORNEY TO BE NOTICED

Defendant

Optuminsight, Inc.

Defendant

Highmark West Virginia Inc.

represented by **Erica Zolner**
(See above for address)
TERMINATED: 07/22/2021
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
ATTORNEY TO BE NOTICED

Sydney L Schneider
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Highmark BCBSD Inc.

represented by **Erica Zolner**
(See above for address)
TERMINATED: 07/22/2021
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
ATTORNEY TO BE NOTICED

Sydney L Schneider
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**HealthNow New York, Inc. d/b/a
BlueCross BlueShield of Western New
York and BlueShield of Northeastern
New York**

represented by **HealthNow New York, Inc. d/b/a
BlueCross BlueShield of Western New
York and BlueShield of Northeastern
New York**
PRO SE

Kathleen Taylor Sooy
(See above for address)
TERMINATED: 08/16/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah M. Gilbert
(See above for address)
TERMINATED: 08/16/2022
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Tracy A Roman
(See above for address)
TERMINATED: 08/16/2022
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

**Blue Cross of Idaho Health Service
Incorporated**

represented by **Kathleen Taylor Sooy**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah M. Gilbert
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Tracy A Roman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Blue Cross and Blue Shield of
Nebraska**

represented by **Kathleen Taylor Sooy**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah M. Gilbert
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Tracy A Roman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Blue Cross and Blue Shield of North
Dakota**

Defendant

**Blue Cross and Blue Shield of
Wyoming**

represented by **Kathleen Taylor Sooy**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah M. Gilbert
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

ATTORNEY TO BE NOTICED

Tracy A Roman

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Triple-S Salud, Inc.

represented by **Alyssa C Kalisky**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Daniel E Laytin

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

David J Zott

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Katie R Lencioni

KIRKLAND & ELLIS LLP

300 N LaSalle

Chicago, IL 60654

312-862-3655

Fax: 312-862-2200

Email: katie.lencioni@kirkland.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Gustavo Adolfo Pabon Rico

(See above for address)

ATTORNEY TO BE NOTICED

Lucile Cohen

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Cahaba Medical Care

Defendant

**USAbile Mutual Insurance Company
d/b/a Arkansas Blue Cross and Blue
Shield**

represented by **Brian Justin Kapatkin**

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

**Hospital Service Association of
Northeastern Pennsylvania d/b/a Blue
Cross of Northeastern Pennsylvania**

represented by **Erica Zolner**
(See above for address)
TERMINATED: 07/22/2021
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**California Physicians Service d/b/a
Blue Shield of California**

represented by **Casey R Fronk**
(See above for address)
TERMINATED: 09/24/2020
ATTORNEY TO BE NOTICED

Charles L Sweeris
(See above for address)
TERMINATED: 12/20/2019
ATTORNEY TO BE NOTICED

Helen E Witt
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Brett Watts

V.

Respondent

Baycare Health System, Inc.

Amicus

U.S. Department of Labor

represented by **Eirik Cheverud**
U.S. DEPARTMENT OF LABOR
Office of the Solicitor
200 Constitution Ave NW, N4611
Washington, DC 20210
202-693-5516
Email: cheverud.eirik.j@dol.gov
ATTORNEY TO BE NOTICED

Jeffrey M Hahn
U.S. DEPARTMENT OF LABOR
Office of the Solicitor
200 Constitution Ave. NW, Room N-4611
Washington, DC 20210
202-693-5695

Email: hahn.jeffrey.m@dol.gov
 ATTORNEY TO BE NOTICED

Wayne R Berry
 U.S. DEPARTMENT OF LABOR
 Office of the Solicitor
 200 Constitution Ave. NW, Room N-4611
 Washington, DC 20210
 202-693-5585
 Fax: 202-693-5610
 Email: berry.wayne@dol.gov
 ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
01/08/2013	<u>1</u>		TRANSFER ORDER from the Judicial Panel on MDL 2406 transferring 9 actions listed on schedule A to the Northern Distirct of Alabama. (Attachments: # <u>1</u> Schedule with NDAL case numbers) [Deemed filed 12/26/2012 in case 2:12-cv-1133-RDP](AVC) (Entered: 01/08/2013)
01/08/2013	<u>2</u>		CONDITIONAL TRANSFER ORDER (CTO-1) from Judicial Panel on MDL 2406 transferring 10 actions to the Northern District of Alabama listed on the attached Schedule. (Attachments: # <u>1</u> CTO-1 Schedule with NDAL case numbers)[deemed filed 12/26/2012 in case 2:12-cv-1133-RDP](AVC) (Entered: 01/08/2013)
01/08/2013	<u>3</u>		CONDITIONAL TRANSFER ORDER (CTO-2) from Judicial Panel on MDL 2406 transferring 3 actions to the Northern District of Alabama. (Attachments: # <u>1</u> CTO-2 Schedule with NDAL case numbers) [deemed filed 1/2/2013 in case 2:12-cv-1133-RDP](AVC) (Entered: 01/08/2013)
01/08/2013	<u>4</u>		CONDITIONAL TRANSFER ORDER (CTO-3) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> CTO-3 Schedule with NDAL case numbers) [deemed filed 1/3/2013 in case 2:12-cv-1133-RDP](AVC) (Entered: 01/08/2013)
01/09/2013	<u>5</u>		NOTICE of Filing by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit Complaint- Attachment A, # <u>2</u> Exhibit Notice of Filing- Attachment B) [deemed filed 1/7/2013 in case 2:12-cv-1133-RDP](AVC) (Entered: 01/09/2013)
01/09/2013	<u>6</u>		CASE MANAGEMENT ORDER NO. 1 REGARDING INITIAL STATUS CONFERENCE. Signed by Judge R David Proctor on 1/8/2013. (AVC) (Entered: 01/09/2013)
01/09/2013	<u>7</u>		ORDER APPOINTING SPECIAL MASTER. Signed by Judge R David Proctor on 1/9/2013. (AVC) (Entered: 01/09/2013)
01/15/2013	<u>8</u>		RESPONSE to re <u>5</u> <i>NOTICE of Filing by Plaintiffs' Counsel</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Hoover, Craig) (Entered: 01/15/2013)
01/22/2013	<u>9</u>		CONDITIONAL TRANSFER ORDER (CTO-4) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama.

		(Attachments: # <u>1</u> Schedule CTO-4 with NDAL case numbers)(AVC) (Entered: 01/22/2013)
02/13/2013	<u>10</u>	CONDITIONAL TRANSFER ORDER (CTO-5) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> Schedule CTO-5 with NDAL case number)(AVC) (Entered: 02/13/2013)
02/19/2013	<u>11</u>	PROVIDER PLAINTIFFS' Response to the Proposed Annotated Agenda for the February 21,2013 Status Conference filed by Plaintiffs' Counsel. (Whatley, Joe) Modified on 2/20/2013 (AVC). (Entered: 02/19/2013)
02/20/2013	<u>12</u>	PROVIDER PLAINTIFF Group's Response to the Proposed Annotaged Agenda for the February 21, 2013 Status Conference by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Hayes, Debra) Modified on 2/21/2013 (AVC). (Entered: 02/20/2013)
02/21/2013	<u>13</u>	ORDER –In light of the Transfer Order by the U.S. Judicial Panel on Multidistrict Litigation and as discussed at the status conference held on this date, this court will re-open applications for the Interim Lead Counsel position. Applications and/or nominations must be filed with the Clerk's office electronically within twenty-eight (28) days of the date of this order and SHALL NOT exceed fifteen (15) pages. Signed by Judge R David Proctor on 2/21/2013. (AVC) (Entered: 02/21/2013)
02/21/2013		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 2/21/2013. (Court Reporter Anita McCorvey.) (KLL) (Entered: 02/25/2013)
02/26/2013	<u>14</u>	ORDER OF RECUSAL–The undersigned RECUSES from this action. Signed by Magistrate Judge Madeline H Haikala on 2/26/2013. (AVC) (Entered: 02/26/2013)
02/28/2013	<u>15</u>	ORDER APPOINTING PLAINTIFFS LIAISON COUNSEL AND INVITING APPLICATIONS FOR PLAINTIFFS LEADERSHIP COMMITTEE POSITIONS–It is ORDERED that Barry Ragsdale is APPOINTED as Pltfs' Liaison Counsel and will serve as a non-voting member of the to-be-formed Pltfs' Steering Committee. Applications for Pltfs' Leadership Positions SHALL be filed with the Clerk's Office electronically by 4/5/2013. The applications or nominations SHALL be accompanied by a disclosure of any and all agreements between the applicant and any other counsel in these consolidated cases related to the subject matter of these cases. Applications and/or nominations SHALL NOT exceed fifteen (15) pages. Signed by Judge R David Proctor on 2/28/2013. (AVC) (Entered: 02/28/2013)
03/05/2013	<u>16</u>	Transcript of Proceedings held on 2/21/2013, before Judge R. David Proctor. Court Reporter/Transcriber Anita McCorvey, Telephone number 205-278-2063. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be

		obtained at http://www.alnd.uscourts.gov/local/court-forms/transcripts/Transcript Redaction Policy.pdf) See Transcript Redaction Policy Redaction Request due 3/26/2013. Redacted Transcript Deadline set for 4/5/2013. Release of Transcript Restriction set for 6/3/2013. (AVC) (Entered: 03/05/2013)
03/21/2013	<u>17</u>	APPLICATION of David Boies and William Isaacson to Serve as Interim Lead Counsel for the Subscriber Track Actions by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Kiernan, Kathleen) Modified on 3/21/2013 (AVC). (Entered: 03/21/2013)
03/21/2013	<u>18</u>	MOTION to Appoint Provider Track Lead Counsel and Leadership Structure by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37)(Whatley, Joe) Modified on 3/22/2013 (AVC). (Entered: 03/21/2013)
03/26/2013	<u>19</u>	CONDITIONAL TRANSFER ORDER (CTO-6) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> Schedule CTO-6)(AVC) (Entered: 03/26/2013)
04/01/2013	<u>20</u>	TRANSFER ORDER from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (AVC) (Entered: 04/01/2013)
04/04/2013	<u>21</u>	MOTION to Appoint Counsel <i>Plaintiffs' Leadership Committee Position -- Subscribers</i> by Plaintiffs' Counsel. (Cowan, R) (Entered: 04/04/2013)
04/04/2013	<u>22</u>	<i>Application of Virginia M. Buchanan to Serve on MDL 2406 Subscriber Class Plaintiffs' Steering Committee</i> (Buchanan, Virginia) Modified on 4/4/2013 (CVA). (Entered: 04/04/2013)
04/04/2013	<u>23</u>	<i>Application of Ben W. Gordon, Jr. to Serve on MDL 2406 Subscriber Class Plaintiffs' Steering Committee</i> (Gordon, Ben) Modified on 4/4/2013 (CVA). (Entered: 04/04/2013)
04/04/2013	<u>24</u>	Application for Committee Position by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit C.V.)(DeGaris, Annesley) Modified on 4/5/2013 (CVA). (Entered: 04/04/2013)
04/04/2013	<u>25</u>	<i>Application of Douglas A. Dellaccio, Jr. for Committee Position -- Subscriber Class</i> by Plaintiffs' Counsel. (Dellaccio, Douglas) Modified on 4/5/2013 (CVA). (Entered: 04/04/2013)
04/05/2013	<u>26</u>	Application to Serve on Subscriber Committee by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit JW Bio)(Warren, James) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>27</u>	APPLICATION and Declaration of Joey James for Appointment to Plaintiffs' Steering Committee and Other Integrated Committees. (Attachments: # <u>1</u> Exhibit A)(James, Joey) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)

04/05/2013	<u>28</u>		<i>Application of Robert G. Methvin, Jr. of McCallum, Methvin & Terrell, P.C. to Serve as One of Four Subscribers' Counsel on the Plaintiffs' Steering Committee</i> (Attachments: # <u>1</u> Exhibit A)(Methvin, R) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>29</u>		MOTION to Appoint Counsel <i>James M. Terrell for Committee Position -- Subscriber Class</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Terrell Biographical Information)(Terrell, James) (Entered: 04/05/2013)
04/05/2013	<u>30</u>		Application of Robert B. Roden to Serve on MDL 2406 Provider Class Plaintiffs' Committee(s) by Plaintiffs' Counsel. (Roden, Robert) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>31</u>		MOTION FOR APPOINTMENT OF WATSON MCKINNEY AND QUINN CONNOR TO PLAINTIFFS' SUBSCRIBER COMMITTEES by Plaintiffs' Counsel. (Watson, Herman) (Entered: 04/05/2013)
04/05/2013	<u>32</u>		Application of Patrick W. Pendley to serve on the Plaintiffs' Steering Committee or, Alternatively, as a Committee Chairman.(Attachments: # <u>1</u> Exhibit A)(Pendley, Patrick) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>33</u>		Application of Gordon Ball to Serve as Interim Co–Lead Counsel for Subscriber Plaintiffs, Membership on Plaintiffs' Steering Committee, and/or Leadership Committee Positions of the Settlement and/or Litigation Committees. (Attachments: # <u>1</u> Exhibit Resume, # <u>2</u> Exhibit List of Other BCBS Cases filed by Ball and Co–Counsel)(Ball, W) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>34</u>		<i>Application of David J. Hodge For Committee Position – Subscriber Class</i> by Plaintiffs' Counsel. (Hodge, David) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>35</u>		MOTION to Appoint Counsel <i>Pittman Provider Group Application for Appointment to Plaintiffs' Provider Steering Committee, Provider Committee Chairs, and Provider Committees</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15)(Hayes, Debra) (Entered: 04/05/2013)
04/05/2013	<u>36</u>		MOTION to Appoint Leadership Positions in the Subscriber Track Actions by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Kiernan, Kathleen) (Entered: 04/05/2013)
04/05/2013	<u>37</u>		<i>Application of Lawrence L. Jones II for Appointment to Subscriber Class Plaintiffs' Steering Committee</i> (Attachments: # <u>1</u> Exhibit Application Letter, # <u>2</u> Exhibit Biography/CV)(Jones, Lawrence) Modified on 4/5/2013 (CVA). (Entered: 04/05/2013)
04/05/2013	<u>38</u>		MOTION Application of Philip E. Carby for Committee Position–Subscriber Class by Plaintiffs' Counsel. (Warren, James) (Entered: 04/05/2013)
04/05/2013	<u>39</u>		MOTION Application of Michael P. McGartland to Serve on MDL 2406 Subscriber Class Committee by MDLPANEL. (McGartland, Michael)

		(Entered: 04/05/2013)
04/05/2013	<u>40</u>	NOTICE by Plaintiffs' Counsel of <i>Firm Name Change</i> (Stokes, Tammy) (Entered: 04/05/2013)
04/05/2013	<u>41</u>	MOTION to Appoint Counsel by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Coffin, Christopher) (Entered: 04/05/2013)
04/05/2013	<u>42</u>	MOTION to Appoint Counsel <i>Memorandum in Support of Nominations to Committee Positions in Leadership Structure</i> by Plaintiffs' Counsel. (Saxon, John) (Entered: 04/05/2013)
04/10/2013	<u>43</u>	STATUS REPORT <i>Special Master's Rule 23 Report Recommending Interim Plaintiff Leadership Counsel</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 04/10/2013)
04/11/2013	<u>44</u>	CONDITIONAL TRANSFER ORDER (CTO-7) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama (Attachments: # <u>1</u> Schedule CTO 7 – NDAL case #)(ASL) (Entered: 04/11/2013)
04/11/2013	<u>45</u>	CONDITIONAL TRANSFER ORDER (CTO-8) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama (Attachments: # <u>1</u> Schedule CTO 8 – NDAL case #)(ASL) (Entered: 04/11/2013)
04/11/2013	<u>46</u>	CONDITIONAL TRANSFER ORDER (CTO-9) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama (Attachments: # <u>1</u> Schedule CTO 9 – NDAL case #)(ASL) (Entered: 04/11/2013)
04/12/2013	<u>47</u>	ORDER SETTING HEARING ON APPOINTMENT OF INTERIM LEAD CLASS COUNSEL AND PLAINTIFFS' STEERING COMMITTEE any objections to recommended slate for Plas' Leadership Counsel from any party SHALL be filed on or before April 17, 2013; Hearing on recommended slate and any objections thereto set for 4/23/2013 at 10:30 AM in Hugo L Black US Courthouse, Birmingham, AL before Judge R David Proctor. Signed by Judge R David Proctor on 4/12/13. (ASL) (Entered: 04/12/2013)
04/16/2013	<u>48</u>	CONDITIONAL TRANSFER ORDER (CTO-10) from Judicial Panel on MDL 2406 transferring 4 actions to the Northern District of Alabama (Attachments: # <u>1</u> Schedule CTO 10 – NDAL case numbers)(ASL) (Entered: 04/16/2013)
04/17/2013	<u>49</u>	Opposition to re <u>43</u> <i>Special Master's Report Recommending Whatley Kallas</i> filed by Defendants' Counsel. (Norman, Brian) (Entered: 04/17/2013)
04/17/2013	<u>50</u>	RESPONSE to re <u>43</u> <i>Special Master's Rule 23 Report Recommending Interim Plaintiff Leadership Counsel</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Yinger, Emily) (Entered: 04/17/2013)
04/18/2013	<u>51</u>	REPLY to re <u>49</u> <i>Reply of Joe R. Whatley, Jr. and Edith M. Kallas to Objection of Carefirst of Maryland, Inc.</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 04/18/2013)

04/19/2013	<u>52</u>		ORDER re: <u>49</u> Carefirst of Maryland's Response to the Special Master's Rule 23 Report Recommending Appointment of Whatley Kallas LLC as Interim Lead Counsel; in preparation for hearing on Tuesday, April 23, 2013 at 10:30 a.m., all parties with an interest in this issue shall file briefs (of not more than 35 pages) addressing the objection, all such briefs shall be filed no later than 4:30 p.m. on Monday, April 22, 2013. Signed by Judge R David Proctor on 4/19/13. (ASL) (Entered: 04/19/2013)
04/19/2013	<u>53</u>		MOTION to Withdraw as Attorney for <i>Defendant Carefirst of Maryland, Inc.</i> by Defendants' Counsel. (Martin, Andrew) (Entered: 04/19/2013)
04/19/2013	<u>54</u>		RESPONSE to <i>Joint Response by Louisiana Health Service & Indemnity Company d/b/a Blue Cross/Blue Shield of Louisiana ("BCBS-LA") and Daniel A. Small</i> filed by Plaintiffs' Counsel. (Pendley, Patrick) (Entered: 04/19/2013)
04/22/2013	<u>55</u>		Brief re <u>52</u> Order, <i>In Support of CareFirst of Maryland's Response in Objection to Special Master's Report Recommending Lead Counsel.</i> (Attachments: # <u>1</u> Exhibit Exhibit A- Part 1, # <u>2</u> Exhibit Exhibit A- Part 2)(Norman, Brian) (Entered: 04/22/2013)
04/22/2013	<u>56</u>		RESPONSE to re <u>52</u> <i>Court's April 19, 2013 Order</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F, # <u>3</u> Exhibit G, # <u>4</u> Exhibit H)(Whatley, Joe) (Entered: 04/22/2013)
04/22/2013	<u>57</u>		REPLY to <i>Response by Certain Louisiana Plaintiffs' Counsel to Joint Response by Blue Cross Blue Shield of Louisiana and CMST</i> filed by Plaintiffs' Counsel. (Saxon, John) (Entered: 04/22/2013)
04/23/2013			Minute Entry for proceedings held before Judge R David Proctor: Hearing on the appointment of Interim Lead counsel and pla's Steering Committee held on 4/23/2013. (Court Reporter Anita McCorvey.) (KLL) (Entered: 04/23/2013)
04/24/2013	59		TEXT ORDER granting <u>53</u> Motion to Withdraw as Attorney. Attorney Andrew W Martin, Jr terminated. Signed by Judge R David Proctor on 04/24/13. (CVA) (Entered: 04/24/2013)
04/24/2013			ORDER It has come to the court's attention that a number of attorneys have contacted the Clerk of the Court to inquire about monitoring this matter. This court's CM/ECF system does not provide an automated method for attorneys to monitor a case. Until such time as an MDL website is developed, to monitor a case, an attorney may log into the PACER system and check the docket. Appearances should not be made directly in the MDL, and appearances in any of the individual cases related to the MDL should only be made by attorneys representing a client involved in the litigation. Any attorney appearing in the case is subject to being held responsible for the representation of the client on whose behalf that attorney appeared. Signed by Judge R David Proctor on 4/24/13. (ASL) (Entered: 04/24/2013)
04/25/2013	<u>60</u>		Transcript of Proceedings held on 04/23/13, before Judge R. David Proctor. Court Reporter/Transcriber Anita McCorvey. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE:

			The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court/forms/transcripts/TranscriptRedactionPolicy.pdf) See Transcript Redaction Policy Redaction Request due 5/16/2013. Redacted Transcript Deadline set for 5/28/2013. Release of Transcript Restriction set for 7/24/2013. (CVA) (Entered: 04/25/2013)
04/26/2013	<u>61</u>		CASE MANAGEMENT ORDER NO. 2 ORDER APPOINTING INTERIM CO-LEAD CLASS COUNSEL, LOCAL FACILITATING COUNSEL, PLAINTIFFS' STEERING COMMITTEE, AND DISCOVERY LIAISON COUNSEL. Signed by Judge R David Proctor on 4/26/13. (ASL) (Entered: 04/26/2013)
04/29/2013	<u>62</u>		STATUS REPORT <i>Special Master's Rule 53 Report Recommending Interim Committee Chairs and Committee Members for the Plaintiff Subscriber and Provider Tracks</i> by Special Master. filed by Special Master (Attachments: # <u>1</u> Exhibit Exhibit A to Special Master's Rule 53 Report, # <u>2</u> Exhibit Exhibit B to Special Master's Rule 53 Report)(Gentle, Edgar) (Entered: 04/29/2013)
04/30/2013	<u>63</u>		ORDER REGARDING INTERIM COMMITTEE CHAIR AND MEMBER APPOINTMENTS re <u>62</u> Special Master's Report; any objections from any party or interested person to the recommended slate for Interim Committee Chairs and Committee Members SHALL be filed on or before May 7, 2013; any responses to such objections SHALL be filed on or before May 10, 2013; court will take any objections under submission. Signed by Judge R David Proctor on 4/30/13. (ASL) (Entered: 04/30/2013)
05/03/2013	<u>64</u>		AMENDED Transcript of Proceedings held on 4/23/2013, before Judge R. David Proctor. Court Reporter/Transcriber Anita McCorvey, Telephone number 205-278-2063. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court/forms/transcripts/TranscriptRedactionPolicy.pdf) See Transcript Redaction Policy Redaction Request due 5/24/2013. Redacted Transcript Deadline set for 6/3/2013. Release of Transcript Restriction set for 8/1/2013. (AVC) (Entered: 05/03/2013)
05/06/2013	<u>65</u>		AMENDED Transcript of Proceedings held on 2/21/2013, before Judge R. David Proctor. Court Reporter/Transcriber Anita McCorvey, Telephone number 205-278-2063. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days.

		(A copy can be obtained at http://www.alnd.uscourts.gov/local/court-forms/transcripts/Transcript Redaction Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/28/2013. Redacted Transcript Deadline set for 6/6/2013. Release of Transcript Restriction set for 8/5/2013. (AVC) (Entered: 05/06/2013)
05/07/2013	<u>66</u>	RESPONSE to re <u>62</u> (of <i>Certain Defendants on Rule 53 Report of Special Master</i>) filed by Defendants' Counsel. (Johnson, John) (Entered: 05/07/2013)
05/10/2013	<u>67</u>	PARTIES' Report Regarding Consolidated Class Action Complaint filed by Defendants' Counsel (West, Kimberly) Modified on 5/10/2013 (AVC). (Entered: 05/10/2013)
05/10/2013	<u>68</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>66</u> Response (other) <i>SUBSCRIBER AND PROVIDER PLAINTIFFS' JOINT RESPONSE TO THE OBJECTIONS OF CERTAIN DEFENDANTS TO THE RULE 53 REPORT OF THE SPECIAL MASTER</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Kiernan, Kathleen) (Entered: 05/10/2013)
05/13/2013	<u>69</u>	TEXT ORDER –This matter is before the court on the Parties' Report Regarding Consolidated Class Action Complaint (Doc. # 67). In light of the Report, it is ORDERED as follows: (1) On or before May 14, 2013, the parties may submit initial briefs limited to eight pages supporting their respective position on whether one consolidated complaint or two should be filed; and (2) on or before May 20, 2013, the parties may file responsive briefs limited to five pages. Signed by Judge R David Proctor on 5/13/2013. (AVC) (Entered: 05/13/2013)
05/13/2013	<u>70</u>	CORRECTED Subscriber and Provider Plaintiffs' Joint Response to the Objections of Certain Defendants to the Rule 53 Report of the Special Master <u>66</u> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Kiernan, Kathleen) Modified on 5/14/2013 (AVC). (Entered: 05/13/2013)
05/14/2013	<u>71</u>	Brief in Support of Allowing the Plaintiffs to be the Masters of their Complaints filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit One, # <u>2</u> Exhibit Two)(Whatley, Joe) Modified on 5/14/2013 (AVC). (Entered: 05/14/2013)
05/14/2013	<u>72</u>	NOTICE of Defendants' Position on Consolidated Amended Complaint by Defendants' Counsel (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Hoover, Craig) Modified on 5/15/2013 (AVC). (Entered: 05/14/2013)
05/16/2013	<u>73</u>	Special Master's Rule 23 Report Recommending Approval of Proposed Order Regarding Protocols for Plaintiffs' Counsel Time and Expense Submissions by Special Master. (Attachments: # <u>1</u> Exhibit Proposed Billing Order)(Gentle, Edgar) Modified on 5/16/2013 (AVC). (Entered: 05/16/2013)
05/16/2013	<u>74</u>	Corrected Special Master's Rule 53 Report Recommending Approval of Proposed Order Regarding Protocols for Plaintiffs' Counsel Time and Expense Submissions by Special Master. (Attachments: # <u>1</u> Exhibit Proposed Billing Order)(Gentle, Edgar) Modified on 5/16/2013 (AVC). (Entered: 05/16/2013)
05/16/2013	<u>75</u>	ORDER REGARDING PROPOSED PROTOCOLS FOR PLAINTIFFS COUNSELTIME AND EXPENSE SUBMISSIONS. Signed by Judge R

		David Proctor on 5/16/2013. (AVC) (Entered: 05/16/2013)
05/20/2013	<u>76</u>	REPLY of Defendants in Favor of A Single Consolidated Complaint filed by Defendant Defendants' Counsel. (Hoover, Craig) Modified on 5/20/2013 (AVC). (Entered: 05/20/2013)
05/20/2013	<u>77</u>	RESPONSE to Defendants' Memorandum in Support of Requiring Plaintiffs to File a Single Complaint <u>72</u> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Text of Proposed Order)(Whatley, Joe) Modified on 5/20/2013 (AVC). (Entered: 05/20/2013)
05/24/2013	<u>78</u>	CONDITIONAL TRANSFER ORDER (CTO-12) from Judicial Panel on MDL 2406 transferring 3 actions to the Northern District of Alabama. (Attachments: # <u>1</u> CTO-12 Schedule with NDAL case numbers)(AVC) (Entered: 05/24/2013)
05/30/2013	<u>79</u>	ORDER-By 7/1/2013, Interim Co-Lead Class Counsel may file either one consolidated class action complaint, or two consolidated calls action complaints. Lead Counsel and Local Facilitating Counsel for Dfts SHALL confer with Interim Co-Lead Class counsel regarding proposed briefing schedule on the anticipated motions to dismiss. By 7/10/2013, the parties SHALL file a joint written status report setting forth the proposed briefing schedule. Signed by Judge R David Proctor on 5/30/2013. (AVC) (Entered: 05/30/2013)
05/31/2013	<u>80</u>	ORDER REGARDING PROTOCOLS FOR PLAINTIFFS COUNSEL TIME AND EXPENSE SUBMISSIONS. Signed by Judge R David Proctor on 5/31/2013. (AVC) (Entered: 05/31/2013)
06/03/2013	<u>81</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT: The court ORDERS that the Special Masters application for payment is hereby APPROVED, as further set out in order. Signed by Judge R David Proctor on 06/03/2013. (CVA) (Entered: 06/03/2013)
06/04/2013	<u>82</u>	CASE MANAGEMENT ORDER NO. 3 ORDER APPOINTING INTERIM COMMITTEE CHAIRS AND COMMITTEE MEMBERS FOR THE PLAINTIFF SUBSCRIBER AND PROVIDER TRACKS. Signed by Judge R David Proctor on 6/4/2013. (AVC) (Entered: 06/04/2013)
06/06/2013	<u>83</u>	CONDITIONAL TRANSFER ORDER (CTO-13) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama. (Attachments: # <u>1</u> CTO-13 Schedule with NDAL case numbers)(AVC) (Entered: 06/06/2013)
06/20/2013	<u>84</u>	CONDITIONAL TRANSFER ORDER (CTO-14) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama. (Attachments: # <u>1</u> CTO-14 Schedule with NDAL case numbers)(AVC) (Entered: 06/20/2013)
07/01/2013	<u>85</u>	AMENDED COMPLAINT <i>for Consolidated Subscriber Track Actions</i> against All Defendants, filed by Plaintiffs' Counsel.(Kiernan, Kathleen) (Entered: 07/01/2013)
07/01/2013	<u>86</u>	AMENDED COMPLAINT <i>for Consolidated Provider Track</i> against All Defendants, filed by Plaintiffs' Counsel.(Whatley, Joe) (Entered: 07/01/2013)

07/09/2013	<u>87</u>	*** WITHDRAWN***[to be filed in Conway 2:12-2532-RDP and other individual actions if necessary]Request for service by certified mail filed by Plaintiffs' Counsel. (Whatley, Joe) Modified on 7/10/2013 (AVC). (Entered: 07/09/2013)
07/09/2013	<u>88</u>	MOTION to Appoint Counsel by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(McKinney, Rebekah) (Entered: 07/09/2013)
07/10/2013	89	TEXT ORDER –This matter is before the court on an informal motion for an extension of time for the parties to file their joint report setting forth a proposed briefing schedule on anticipated motions to dismiss. The request is GRANTED. The parties SHALL file a joint written status report setting forth a proposed briefing schedule on anticipated motions to dismiss on or before July 17, 2013. Signed by Judge R David Proctor on 7/10/2013. (AVC) (Entered: 07/10/2013)
07/10/2013	90	TEXT ORDER –This matter is before the court on the Unopposed Motion of Herman A. Watson, Jr. to Appoint Rebekah K. McKinney to Replace Him As State Liaison Committee Member for the Subscriber Track (Doc. # 88). For good cause shown, and because the Subscriber Track Lead Counsel, Steering Committee, and Local Facilitating Counsel do not oppose the Motion, the Motion (Doc. # 88) is GRANTED. The court hereby APPOINTS Rebekah K. McKinney to replace Herman A. Watson, Jr. as a State Liaison Committee Member for the Subscriber Track. Signed by Judge R David Proctor on 7/10/2013. (AVC) (Entered: 07/10/2013)
07/17/2013	<u>91</u>	REPORT from the Parties on Motion to Dismiss Schedule <u>79</u> by Defendants' Counsel, Plaintiffs' Counsel (Whatley, Joe) Modified on 7/18/2013 (AVC). (Entered: 07/17/2013)
07/18/2013	92	TEXT ORDER –This matter is before the court on the Joint Report from the Parties on Motion to Dismiss Briefing Schedule (Doc. # 91), which requests an additional short extension of time for the parties to file their joint report setting forth a proposed briefing schedule on anticipated motions to dismiss. The request is GRANTED. The parties SHALL file a joint written status report setting forth a proposed briefing schedule on anticipated motions to dismiss on or before July 19, 2013. Signed by Judge R David Proctor on 7/18/2013. (AVC) (Entered: 07/18/2013)
07/19/2013	<u>93</u>	JOINT STATUS REPORT REGARDING MOTION TO DISMISS BRIEFING SCHEDULE by Defendants' Counsel, Plaintiffs' Liaison Counsel. filed by Defendants' Counsel, Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Exhibit 1)(Hoover, Craig) Modified on 7/22/2013 (AVC). (Entered: 07/19/2013)
07/22/2013	<u>94</u>	NOTICE by Plaintiffs' Counsel re <u>86</u> Amended Complaint <i>Filing of Corrected Caption</i> (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 07/22/2013)
07/23/2013	95	TEXT ORDER –This matter is SET for a status conferenceat 10:00 am on Wednesday, August 21, 2013 in courtroom 7A of the Hugo L. Black United States Courthouse to discuss, among other issues, a briefing schedule on the anticipated motions to dismiss. The court anticipates that the Special Master will circulate a call in number to counsel who wish to attend by phone. Signed by Judge R David Proctor on 7/23/2013. (AVC) (Entered: 07/23/2013)

			07/23/2013)
08/21/2013			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 8/21/2013. As indicated on the record, the court will enter a separate order outlining the briefing schedules agreed to by the parties. (Court Reporter Anita McCorvey.) (KLL) (Entered: 08/21/2013)
08/27/2013	<u>96</u>		Transcript of Proceedings held on 8/21/2013, before Judge R. David Proctor. Court Reporter/Transcriber Anita McCorvey, Telephone number 205-278-2063. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court/forms/transcripts/Transcript Redaction Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/17/2013. Redacted Transcript Deadline set for 9/27/2013. Release of Transcript Restriction set for 11/26/2013. (AVC) (Entered: 08/27/2013)
08/30/2013	<u>97</u>		REPORT Regarding Order Setting Briefing Schedule and Establishing Certain Discovery Procedures by Special Master. (Attachments: # <u>1</u> Exhibit A Agreed Edits, # <u>2</u> Exhibit B Additional Edits Suggested by the Plaintiffs, # <u>3</u> Exhibit C Additional Edits Suggested by the Defendants)(Gentle, Edgar) Modified on 9/9/2013 (AVC). (Entered: 08/30/2013)
09/03/2013	<u>98</u>		ORDER SETTING BRIEFING SCHEDULE AND ESTABLISHING CERTAIN DISCOVERY PROCEDURES. Signed by Judge R David Proctor on 9/3/2013. (AVC) (Entered: 09/03/2013)
09/06/2013	<u>99</u>		NOTICE by Plaintiffs' Counsel re <u>85</u> Amended Complaint <i>Errata to Subscriber Track Consolidated Class Action Complaint</i> (Attachments: # <u>1</u> Appendix 1)(Kiernan, Kathleen) (Entered: 09/06/2013)
09/11/2013	<u>100</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 9/11/2013. (AVC) (Entered: 09/11/2013)
09/11/2013	<u>101</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 9/11/2013. (AVC) (Entered: 09/11/2013)
09/17/2013	<u>102</u>		Emergency MOTION for Preliminary Injunction by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Whatley, Joe) (Entered: 09/17/2013)
09/18/2013	103		TEXT ORDER – This matter is before the court on Plaintiff Kathleen Cain's Opposed Emergency Motion for Preliminary Injunction (Doc. # 102). The Motion is more properly filed in the Conway case, case No. 2:12-cv-02532-RDP. Plaintiff's counsel is DIRECTED to re-file the motion in that case. The Clerk of the Court is DIRECTED to TERMINATE the Motion (Doc. # 102) in this case. Additionally, interested parties are DIRECTED to coordinate with the Special Master regarding the scheduling

			of a telephone conference to discuss Plaintiff Cain's Motion. Signed by Judge R David Proctor on 9/18/2013. (AVC) (Entered: 09/18/2013)
09/27/2013	<u>104</u>		MOTION for Leave to File <i>Certain Exhibits Under Seal</i> by Defendants' Counsel. (Hogewood, Mark) (Entered: 09/27/2013)
09/27/2013	105		TEXT ORDER—This matter is before the court on Defendants' Motion for Leave to File Certain Exhibits Under Seal (Doc. # 104). The Motion is GRANTED. Defendants are granted leave to file the referenced documents UNDER SEAL. Signed by Judge R David Proctor on 9/27/2013. (AVC) (Entered: 09/27/2013)
09/30/2013	<u>106</u>		MOTION for Leave to File <i>Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal</i> by Capital Blue Cross. (Sansbury, Michael) (Entered: 09/30/2013)
09/30/2013	<u>107</u>		MOTION to Dismiss for Lack of Jurisdiction by Triple S Salud, Inc.. (Attachments: # <u>1</u> Exhibit Unsworn Statement Under Penalty of Perjury)(Escalera—Rodriguez, Rafael) (Entered: 09/30/2013)
09/30/2013	<u>108</u>		MOTION to Dismiss by Defendants' Counsel. (Zott, David) (Entered: 09/30/2013)
09/30/2013	109		TEXT ORDER – This matter is before the court on Defendant Capital Blue Cross's Motion for Leave to File Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal. (Doc. # 106). The Motion (Doc. # 106) is GRANTED . Defendant Capital Blue Cross is granted leave to file the referenced documents UNDER SEAL . Signed by Judge R David Proctor on 9/30/2013. (AVC) (Entered: 09/30/2013)
09/30/2013	<u>110</u>		MOTION to Dismiss <i>Plaintiffs' Complaint by CareFirst of Maryland, Inc.</i> by Defendants' Counsel. (Norman, Brian) (Entered: 09/30/2013)
09/30/2013	<u>111</u>		Brief in Support of Motion to Dismiss <u>110</u> by CareFirst of Maryland, Inc. (Norman, Brian) Modified on 10/4/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>112</u>		MOTION to Dismiss for Lack of Personal Jurisdiction and, Alternatively, Improper Venue by Capital Blue Cross. (Attachments: # <u>1</u> Exhibit Declaration of Kimberly Meals)(Sansbury, Michael) Modified on 10/3/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>113</u>		MOTION to Dismiss for Lack of Jurisdiction and Improper Venue by <i>Excellus Health Plan, Inc.</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A–G)(Andress, D) Modified on 10/3/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>114</u>		MOTION to Dismiss by <i>Blue Cross Blue Shield of Michigan</i> . (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, Part 1, # <u>3</u> Exhibit A, Part 2, # <u>4</u> Exhibit B, Part 1, # <u>5</u> Exhibit B, Part 2, # <u>6</u> Exhibit C, Part 1, # <u>7</u> Exhibit C, Part 2, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, Part 1, # <u>10</u> Exhibit E, Part 2, # <u>11</u> Errata F, Part 1, # <u>12</u> Exhibit G, Part 1, # <u>13</u> Exhibit G, Part 2, # <u>14</u> Exhibit H, # <u>15</u> Exhibit I, Part 1, # <u>16</u> Exhibit I, Part 2, # <u>17</u> Exhibit I, Part 3)(Campbell, Andrew) Modified on 10/3/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>115</u>		Brief re <u>108</u> MOTION to Dismiss <i>Defendants' Supplemental Brief in Support of Motion to Dismiss</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Appendix I, # <u>2</u> Appendix II, # <u>3</u> Exhibit A)(Hoover, Craig) (Entered: 09/30/2013)

			09/30/2013)
09/30/2013	<u>116</u>		MOTION to Dismiss BlueCross BlueShield of South Carolina and Blue Cross and Blue Shield Association to Dismiss the Claims of Plaintiff Shred 360,LLC by Defendants' Counsel. (Hoover, Craig) Modified on 10/3/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>117</u>		Brief in Support of Motion of BlueCross BlueShield of South Carolina and Blue Cross and Blue Shield Association to Dismiss Claims of Plaintiff Shred 360, LLC filed by Defendants' Counsel. (Hoover, Craig) (Entered: 09/30/2013)
09/30/2013	<u>118</u>		MOTION to Dismiss by Plaintiffs' Counsel. (McKinney, Rebekah) (Entered: 09/30/2013)
09/30/2013	<u>119</u>		SEALED MOTION re: <u>112</u> by Capital Blue Cross. (Attachments: # <u>1</u> Exhibit 1)(AVC) (Entered: 09/30/2013)
09/30/2013	<u>120</u>		Brief re <u>108</u> MOTION to Dismiss . (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13)(Zott, David) (Entered: 09/30/2013)
09/30/2013	<u>121</u>		MOTION in Supprot of Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue by <i>Blue Cross of Northeastern Pennsylvania</i> . (Attachments: # <u>1</u> Affidavit)(Leary, Paul) Modified on 10/3/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>122</u>		MOTION to Dismiss for Lack of Jurisdiction and Improper Venue by <i>Blue Cross Blue Shield of Mississippi</i> . (Attachments: # <u>1</u> Exhibit A (Declaration of John H. Proctor, III))(McDowell, M) Modified on 10/3/2013 (AVC). (Entered: 09/30/2013)
09/30/2013	<u>123</u>		Brief re <u>122</u> MOTION to Dismiss for Lack of Jurisdiction filed by Defendants' Counsel. (McDowell, M) (Entered: 09/30/2013)
09/30/2013	<u>124</u>		MOTION to Dismiss by Plaintiffs' Counsel. (McKinney, Rebekah) (Entered: 09/30/2013)
09/30/2013	<u>125</u>		MOTION to Dismiss for Lack of Personal Jurisdiction and Improper Venue by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum of Certain Defendants in Support of Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue, # <u>2</u> Exhibit 1 – Affidavit of Christine Epper, # <u>3</u> Exhibit 2 – Affidavit of Fred Palenske, # <u>4</u> Exhibit 3 – Affidavit of Robert L. Stroup III, # <u>5</u> Exhibit 4 – Affidavit of Dave Keiter, # <u>6</u> Exhibit 5 – Affidavit of David Horn)(Sooy, Kathleen) (Entered: 09/30/2013)
10/03/2013	<u>127</u>		NOTICE of Corporate Disclosure by Defendants' Counsel (Hoover, Craig) (Entered: 10/03/2013)
10/04/2013	<u>128</u>		MOTION for Leave to Appear Pro Hac Vice by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1 (Application and Declaration of Lezlie Madden in Support of Motion for Admission Pro Hac Vice))(Reis, John) (Entered: 10/04/2013)
10/04/2013			

			PHV Fee paid: \$ 50, receipt number 1126–2025167. (Reis, John) (Entered: 10/04/2013)
10/04/2013	<u>129</u>		Consent MOTION to Set Briefing Schedule by Capital Blue Cross. (Sansbury, Michael) (Entered: 10/04/2013)
10/04/2013	130		TEXT ORDER –This matter is before the court on Capital Blue Cross's Unopposed Motion to Set Briefing Schedule (Doc. # 129). The Motion (Doc. # 129) is GRANTED. Capital Blue Cross SHALL respond to the Cerven Complaint (Case No. 2:12–cv–04169–RDP) on or before November 1, 2013. Otherwise the briefing SHALL confirm to the court's existing briefing schedule (Doc. # 98). Signed by Judge R David Proctor on 10/4/2013. (AVC) (Entered: 10/04/2013)
10/04/2013	<u>131</u>		NOTICE of Corporate Disclosure by Defendants' Counsel <i>regarding WellPoint, Inc.</i> (Hoover, Craig) (Entered: 10/04/2013)
10/14/2013	<u>132</u>		NOTICE of Corporate Disclosure by Defendants' Counsel (Norman, Brian) (Entered: 10/14/2013)
10/30/2013	<u>133</u>		MOTION for Leave to File <i>Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal (Capital BlueCross)</i> by Defendants' Counsel. (Sansbury, Michael) (Entered: 10/30/2013)
10/30/2013	134		TEXT ORDER – This matter is before the court on Defendant Capital Blue Cross's Motion for Leave to File Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal. (Doc. # 133). The Motion (Doc. # 133) is GRANTED . Defendant Capital Blue Cross is GRANTED LEAVE to file the referenced documents UNDER SEAL. Signed by Judge R David Proctor on 10/30/2013 (AVC) (Entered: 10/30/2013)
11/01/2013	<u>135</u>		MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and, <i>Alternatively, Improper Venue</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Exhibit 1, Declaration of Kimberly Meals)(Sansbury, Michael) (Entered: 11/01/2013)
11/01/2013	<u>136</u>		SEALED MOTION by Capital Blue Cross. (Attachments: # <u>1</u> Exhibit 1)(AVC) (Entered: 11/01/2013)
11/04/2013	<u>137</u>		STATUS REPORT by Defendants' Counsel, Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Hoover, Craig) (Entered: 11/04/2013)
11/04/2013	<u>138</u>		Corporate Disclosure Statement by Defendants' Counsel. (Burkhalter, Carl) (Entered: 11/04/2013)
11/08/2013	<u>139</u>		PROTECTIVE ORDER UNDER FED. R. EVID. 502(d) REGARDING NON–WAIVER OF INFORMATION SUBJECT TO ATTORNEY–CLIENT PRIVILEGE OR WORK PRODUCT PROTECTION. Signed by Judge R David Proctor on 11/8/2013. (AVC) (Entered: 11/08/2013)
11/20/2013	<u>140</u>		STATUS REPORT by Defendants' Counsel, Plaintiffs' Counsel. filed by Defendants' Counsel, Plaintiffs' Counsel (Hoover, Craig) (Entered: 11/20/2013)
11/26/2013	<u>141</u>		THIRD STATUS REPORT by Defendants' Counsel, Plaintiffs' Counsel. (Hoover, Craig) (Entered: 11/26/2013)

11/27/2013	<u>142</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 11/27/2013. (AVC) (Entered: 11/27/2013)
11/27/2013	<u>143</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 11/27/2013. (AVC) (Entered: 11/27/2013)
12/06/2013	<u>144</u>		STATUS REPORT by Defendants' Counsel, Plaintiffs' Counsel. filed by Defendants' Counsel, Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit A – Proposed Protective Order)(Hoover, Craig) (Entered: 12/06/2013)
12/17/2013	<u>145</u>		PROTECTIVE ORDER. Signed by Judge R David Proctor on 12/17/2013. (AVC) (Entered: 12/17/2013)
01/09/2014	<u>146</u>		NOTICE by Plaintiffs' Counsel of <i>Change of Firm Name</i> (Axelrod, Robert) (Entered: 01/09/2014)
01/13/2014	<u>147</u>		TEXT ORDER – The pending Motions to Dismiss in this matter are SET for a hearing at 10:00 a.m. on Wednesday, April 9, 2014 , in Courtroom 7A of the Hugo L. Black U.S. Courthouse, 1729 Fifth Avenue North, Birmingham, Alabama. The court anticipates that the Special Master will circulate a call in number for counsel wishing to attend by telephone. However, anyone wishing to present argument SHALL attend in person. All persons attending by phone are REMINDED to mute their phones unless actually addressing the court. Signed by Judge R David Proctor on 1/13/14. (ASL) (Entered: 01/13/2014)
01/15/2014	<u>148</u>		OPPOSITION to Motion to Dismiss <u>108</u> & <u>120</u> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 01/15/2014)
01/15/2014	<u>149</u>		JOINT OPPOSITION to Motion to Dismiss Arguments Common to both Providers and Subscribers <u>108</u> MOTION filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Ragsdale, Barry) (Entered: 01/15/2014)
01/15/2014	<u>150</u>		Brief in Joint Opposition to Motions to Dismiss for Lack of Personal Jurisdiction and Improper Venue <u>107</u> , <u>112</u> , <u>113</u> , <u>119</u> , <u>121</u> , <u>122</u> , <u>125</u> , <u>135</u> and <u>136</u> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 01/15/2014)
01/15/2014	<u>151</u>		RESPONSE in Opposition re <u>114</u> MOTION to Dismiss (<i>Provider Plaintiffs' Response to Defendant Blue Cross Blue Shield of Michigan's Motion to Dismiss (Doc. 114)</i>) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 01/15/2014)
01/15/2014	<u>152</u>		OPPOSITION to Carefirst of Maryland, Inc's Motion to Dismiss <u>110</u> & <u>111</u> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 01/15/2014)
01/15/2014	<u>153</u>		Brief on Non–Common Issues in Oppostion to Motions to Dismiss <u>108</u> , <u>114</u> , <u>115</u> , <u>116</u> , <u>117</u> and <u>120</u> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Guin, David) (Entered: 01/15/2014)
01/16/2014	<u>154</u>		AMENDED Opposition to Motion to Dismiss <u>108</u> & <u>120</u> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 01/16/2014)

01/16/2014	<u>155</u>		AMENDED Response to Blue Cross Blue Shield of Michigan's Motion to Dismiss <u>114</u> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 01/16/2014)
01/21/2014	<u>156</u>		MOTION to Appoint Counsel (<i>Unopposed Motion of Co–Lead Counsel to Appoint Thomas V. Bender to the Discovery Committee for the Provider Track and Notification of Withdrawal of D. Brian Hufford as Provider Counsel</i>) by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 01/21/2014)
01/22/2014	<u>157</u>		MOTION for Leave to File <i>Amici Curiae Brief of Antitrust Professors</i> by movant. (Attachments: # <u>1</u> Exhibit EX 1 – Amici Curiae Brief, # <u>2</u> Certificate of Service)(Reuben, Mindee) (Entered: 01/22/2014)
01/22/2014	158		TEXT ORDER This matter is before the court on the Motion for Leave to File Amici Curiae Brief of Antitrust Professors in Opposition to Defendants' Motions to Dismiss Based on the Filed Rate Doctrine <u>157</u> . The Motion <u>157</u> is GRANTED. The Antitrust Professors are directed to file their proposed brief electronically with the Clerk of the Court. Signed by Judge R David Proctor on 1/22/14. (ASL) (Entered: 01/22/2014)
01/22/2014	<u>159</u>		Brief of Amici – Antitrust Professors. (Attachments: # <u>1</u> Exhibit A – Areeda & Hovencamp Excerpt, # <u>2</u> Certificate of Service)(Reuben, Mindee) (Entered: 01/22/2014)
01/22/2014	<u>160</u>		NOTICE of Change of Address by Henry C Quillen (Quillen, Henry) (Entered: 01/22/2014)
01/22/2014	161		TEXT ORDER This matter is before the court on the Unopposed Motion of Co–Lead Counsel to Appoint Thomas V. Bender to the Discovery Committee for the Provider Track and Notification of Withdrawal of D. Brian Hufford as Provider Counsel <u>156</u> . For good cause shown, and because the Motion is unopposed, the Motion <u>156</u> is GRANTED. The court hereby APPOINTS Thomas V. Bender to the Discovery Committee for the Provider Track and ACCEPTS the withdrawal of D. Brian Hufford from the Written Submissions Committee for the Provider Track. Signed by Judge R David Proctor on 1/22/14. (ASL) (Entered: 01/22/2014)
02/11/2014	<u>162</u>		MOTION to Amend the May 31, 2013 Order <u>80</u> Order by Special Master. (Attachments: # <u>1</u> Exhibit Proposed Order)(Gentle, Edgar) (Entered: 02/11/2014)
02/11/2014	<u>163</u>		ORDER GRANTING THE SPECIAL MASTERS UNOPPOSED MOTION TO AMENDTHE MAY 31, 2013 ORDER REGARDING PROTOCOLS FOR PLAINTIFFSCOUNSEL TIME AND EXPENSE SUBMISSIONS–re: <u>162</u> . Signed by Judge R David Proctor on 2/11/2014. (AVC) (Entered: 02/11/2014)
02/24/2014	<u>164</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 2/24/2014. (AVC) (Entered: 02/24/2014)
02/24/2014	<u>165</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 2/24/2014. (AVC) (Entered: 02/24/2014)
03/04/2014	<u>166</u>		

			NOTICE by Blue Cross Blue Shield Antitrust Litigation MDL 2406 <i>Notice of Firm Change</i> (Frankowski, Richard) (Entered: 03/04/2014)
03/04/2014	<u>167</u>		NOTICE by Plaintiffs' Counsel <i>Notice of Change of Firm Name</i> (Schreiber, J) (Entered: 03/04/2014)
03/06/2014	<u>168</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>107</u> MOTION to Dismiss for Lack of Jurisdiction , <u>150</u> Response in Opposition to Motion, filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1– Unsworn Statement Under Penalty of Perjury)(Santiago–Rivera, Pedro) (Entered: 03/06/2014)
03/06/2014	<u>169</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>119</u> SEALED MOTION, <u>135</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and, Alternatively, <i>Improper Venue</i> , <u>150</u> Response in Opposition to Motion, <u>112</u> MOTION to Dismiss for Lack of Personal Jurisdiction and, Alternatively, <i>Improper Venue</i> filed by Defendants' Counsel. (Sansbury, Michael) (Entered: 03/06/2014)
03/06/2014	<u>170</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>114</u> MOTION to Dismiss <i>by Blue Cross Blue Shield Michigan</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Index of Exhibits, # <u>2</u> Exhibit A)(Campbell, Andrew) (Entered: 03/06/2014)
03/06/2014	<u>171</u>		MOTION to Amend/Correct <i>Order of Dismissal</i> by Plaintiffs' Counsel. (Pendley, Patrick) (Entered: 03/06/2014)
03/06/2014	<u>172</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>121</u> MOTION in Supprot of Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue <i>by Blue Cross of Northeastern Pennsylvania</i> filed by Defendants' Counsel. (Bleich, Matthew) (Entered: 03/06/2014)
03/06/2014	<u>173</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>108</u> MOTION to Dismiss filed by Defendants' Counsel. (Hoover, Craig) (Entered: 03/06/2014)
03/06/2014	<u>174</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>116</u> MOTION to Dismiss BlueCross BlueShield of South Carolina and Blue Cross and Blue Shield Association to Dismiss the Claims of Plaintiff Shred 360,LLC filed by Defendants' Counsel. (Hoover, Craig) (Entered: 03/06/2014)
03/06/2014	<u>175</u>		REPLY to Response to Motion re <u>110</u> MOTION to Dismiss <i>Plaintiffs' Complaint by CareFirst of Maryland, Inc.</i> filed by Defendants' Counsel. (Norman, Brian) (Entered: 03/06/2014)
03/06/2014	<u>176</u>		REPLY to re <u>113</u> <i>Reply Memorandum of Excellus Health Plan, Inc., d/b/a Excellus BlueCross BlueShield, on Its Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue</i> filed by Defendants' Counsel. (Andress, D) (Entered: 03/06/2014)
03/06/2014	<u>177</u>		REPLY to Response to Motion re <u>122</u> MOTION to Dismiss for Lack of Jurisdiction and Improper Venue <i>by Blue Cross Blue Shield of Mississippi</i> filed by movant. (Attachments: # <u>1</u> Exhibit A (Supplemental Declaration of John Proctor))(McDowell, M) (Entered: 03/06/2014)
03/06/2014	<u>178</u>		REPLY to Response to Motion re <u>108</u> MOTION to Dismiss filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit

			C)(Zott, David) (Entered: 03/06/2014)
03/06/2014	<u>179</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>125</u> MOTION to Dismiss <i>for Lack of Personal Jurisdiction and Improper Venue</i> filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 03/06/2014)
04/07/2014	180		TEXT ORDER – Based upon the parties' request, the argument previously set for 10:00 a.m. on Wednesday, April 9, 2014, is hereby RE–SET at 9:00 a.m. the same day . Signed by Judge R David Proctor on 4/7/14. (ASL) (Entered: 04/07/2014)
04/09/2014			Minute Entry for proceedings held before Judge R David Proctor: Motion Hearing held on 4/9/2014 re pending motions to dismiss. (Court Reporter Anita McCorvey.) (KLL) (Entered: 04/09/2014)
04/10/2014	<u>181</u>		MOTION to Withdraw as Attorney by Defendants' Counsel. (Rather, Gordon) (Entered: 04/10/2014)
04/10/2014	182		TEXT ORDER – This matter is before the court on the Motion to Allow Withdrawal of Additional Counsel for USAbLe Mutual Insurance Company, d/b/a Arkansas Blue Cross and Blue Shield. The Motion was filed in Case No. 2:13–cv–20000–RDP, but should have been filed in the underlying case, Case No. 2:13–cv–00014–RDP, Sosebee v. USAbLe Mutual Insurance Company. The Motion (Case No. 2:13–cv–20000–RDP, Doc. # 181) is GRANTED . The Clerk of the Court is DIRECTED to TERMINATE attorneys Gordon S. Rather, Jr. and Scott A. Irby as counsel for USAbLe Mutual Insurance Company, d/b/a Arkansas Blue Cross and Blue Shield in both cases, and to docket this text order in Case No. 2:13–cv–00014–RDP also. Signed by Judge R David Proctor on 4/10/2014. (AVC) (Entered: 04/10/2014)
04/16/2014	<u>183</u>		REPLY to (<i>Correspondence to Judge Proctor</i>) filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 04/16/2014)
04/18/2014	<u>184</u>		RESPONSE to <i>Subscriber Plaintiffs' April 16, 2014 Letter</i> filed by Defendants' Counsel. (West, Kimberly) (Entered: 04/18/2014)
04/25/2014	<u>185</u>		MOTION to Withdraw as Attorney <i>for Plaintiff, Gaston CPA Firm, P.C.</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order Order Granting Motion to Withdraw)(Brady, Anu) (Entered: 04/25/2014)
04/25/2014	186		TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by attorney Anu M. Brady. <u>185</u> . The Motion <u>85</u> is GRANTED . The Clerk of the Court is DIRECTED to TERMINATE attorney Brady. Signed by Judge R David Proctor on 4/25/2014. (AVC) (Entered: 04/25/2014)
04/29/2014	<u>187</u>		Transcript of Proceedings held on 4/9/2014, before Judge R. David Proctor. Court Reporter/Transcriber Anita McCorvey, Telephone number 205–278–2063. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be

		obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf See Transcript Redaction Policy Redaction Request due 5/20/2014. Redacted Transcript Deadline set for 5/30/2014. Release of Transcript Restriction set for 7/28/2014. (AVC) (Entered: 04/29/2014)
05/15/2014	<u>188</u>	NOTICE of Change of Address by Edwin J Kilpela, Jr (Kilpela, Edwin) (Entered: 05/15/2014)
05/22/2014	<u>189</u>	MOTION to Withdraw <i>Motion to Withdraw of Andrew C. Allen</i> by Plaintiffs' Counsel. (Allen, Andrew) (Entered: 05/22/2014)
05/22/2014	190	TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by attorney Andrew C. Allen. <u>189</u> . The Motion <u>189</u> is GRANTED . The Clerk of the Court is DIRECTED to TERMINATE attorney Allen. Generally, appearances and Motions to Withdraw should be filed in the underlying case in which the attorney wishes to or has appeared, rather than in the MDL, since the service list for the MDL is generated from those cases. Therefore, the Clerk of the Court is FURTHER DIRECTED to TERMINATE Attorney Allen also in the underlying case in which he appeared, case No. 2:12-cv-02532. Signed by Judge R David Proctor on 5/22/2014. (AVC) (Entered: 05/22/2014)
05/22/2014	<u>191</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 5/22/2014. (AVC) (Entered: 05/22/2014)
05/22/2014	<u>192</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 5/22/2014. (AVC) (Entered: 05/22/2014)
06/02/2014	<u>193</u>	NOTICE by Plaintiffs' Counsel re <u>108</u> MOTION to Dismiss <i>Provider Plaintiffs' Notice of Supplemental Authority Regarding Defendants' Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 06/02/2014)
06/02/2014	<u>194</u>	STATUS REPORT by Defendants' Counsel. filed by Defendants' Counsel (Hoover, Craig) (Entered: 06/02/2014)
06/05/2014	<u>195</u>	NOTICE of Change of Address by Henry C Quillen (Quillen, Henry) (Entered: 06/05/2014)
06/06/2014	<u>196</u>	RESPONSE to re <u>193</u> <i>Provider Plaintiff's Notice of Supplemental Authority Regarding Defendants' Motion to Dismiss</i> filed by Defendants' Counsel. (Zott, David) (Entered: 06/06/2014)
06/10/2014	<u>197</u>	ORDER REGARDING NON-WAIVER OF WORK PRODUCT DOCTRINE PROTECTION AND ATTORNEY-CLIENT PRIVILEGE AS A RESULT OF THE SUBMISSION OF PLAINTIFFS COMMON BENEFIT TIME AND EXPENSE RECORDS TO THE SPECIAL MASTER AND THE COURT. Signed by Judge R David Proctor on 6/10/2014. (AVC) (Entered: 06/10/2014)
06/11/2014	<u>198</u>	MOTION to Withdraw as Attorney <i>and For Appointment of Substitute Counsel</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A)(Kiernan, Kathleen) (Entered: 06/11/2014)

06/12/2014	<u>199</u>		ORDER granting <u>198</u> Tanya Chutkan's Motion to Withdraw and for Appointment of Substitute Counsel; attorney Richard A. Feinstein is APPOINTED as Co–Chair of the Subscriber Track Experts Committee; Added attorney Richard A Feinstein for Plaintiffs' Counsel. Attorney Tanya Chutkan terminated. Signed by Judge R David Proctor on 6/12/14. (ASL) (Entered: 06/12/2014)
06/12/2014	<u>200</u>		MOTION for Leave to File <i>Amended Complaint</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ragsdale, Barry) (Entered: 06/12/2014)
06/13/2014	201		TEXT ORDER This matter before the court on the Motion of the Subscriber Plaintiffs to Amend the Subscriber Track Consolidated Class Action Complaint. <u>200</u> To the extent Defendants have any opposition to the Motion consistent with Rule 15(a), such opposition SHALL be filed on or before June 20, 2014 .. Signed by Judge R David Proctor on 6/13/2014. (KAM,) (Entered: 06/13/2014)
06/16/2014	<u>202</u>		Joint MOTION to Amend/Correct <i>Scheduling Order</i> by Defendants' Counsel. (West, Kimberly) (Entered: 06/16/2014)
06/17/2014	203		TEXT ORDER – This matter is before the court on the Joint Request for an Amended Scheduling Order. <u>202</u> . The request <u>202</u> is GRANTED . To the extent Defendants have any opposition to the Motion of the Subscriber Plaintiffs to Amend the Subscriber Track Consolidated Class Action Complaint <u>200</u> consistent with Rule 15(a), such opposition SHALL be filed on or before June 27, 2014 . Subscriber Plaintiffs may reply on or before July 11, 2014 . Signed by Judge R David Proctor on 6/17/2014. (AVC) (Entered: 06/17/2014)
06/18/2014	<u>204</u>		MEMORANDUM OPINION. Signed by Judge R David Proctor on 6/18/2014. (AVC) (Entered: 06/18/2014)
06/18/2014	<u>205</u>		ORDER–In accordance with the Memorandum Opinion <u>204</u> , the court concludes that various Dfts' Motions to Dismiss <u>107</u> , <u>110</u> , <u>112</u> , <u>113</u> , <u>114</u> , <u>116</u> , <u>119</u> , <u>121</u> , <u>122</u> , <u>125</u> ,and <u>135</u> are hereby DENIED WITHOUT PREJUDICE. Dfts' Consolidated Motion to Dismiss <u>108</u> is DENIED IN PART. By 7/15/2014, the parties SHALL file a joint status report regarding a proposal for consideration of the remaining issues raised in Dfts' Supplemental Brief in Support of Motion to Dismiss <u>115</u> related to the Consolidated Motion to Dismiss <u>108</u> . Signed by Judge R David Proctor on 6/18/2014. (AVC) (Entered: 06/18/2014)
06/19/2014	<u>206</u>		NOTICE of Change of Address by Charles C Hunter (Hunter, Charles) (Entered: 06/19/2014)
06/19/2014	<u>207</u>		NOTICE of Change of Address by Robert J Axelrod (Axelrod, Robert) (Entered: 06/19/2014)
06/27/2014	<u>208</u>		RESPONSE to Motion re <u>200</u> MOTION for Leave to File <i>Amended Complaint</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 06/27/2014)
07/11/2014	<u>209</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>200</u> MOTION for Leave to File <i>Amended Complaint</i> filed by Plaintiffs' Counsel. (Ragsdale,

		Barry) (Entered: 07/11/2014)
07/15/2014	<u>210</u>	STATUS REPORT (<i>Joint Report</i>) by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 07/15/2014)
07/15/2014	<u>211</u>	STATUS REPORT (<i>Joint Report Regarding Discovery Plan</i>) by Defendants' Counsel. filed by Defendants' Counsel (Hoover, Craig) (Entered: 07/15/2014)
07/15/2014	<u>212</u>	STATUS REPORT (<i>Joint Report Regarding Pending Motions to Dismiss</i>) by Defendants' Counsel. filed by Defendants' Counsel (Hoover, Craig) (Entered: 07/15/2014)
07/29/2014	<u>213</u>	NOTICE of Change of Address by Andrew Phillip Campbell (Campbell, Andrew) (Entered: 07/29/2014)
08/06/2014	<u>214</u>	NOTICE of Change of Address by J Allen Schreiber (Schreiber, J) (Entered: 08/06/2014)
08/14/2014	<u>215</u>	ORDER –re: Motion to Amend the Subscriber Track Consolidated Class Action Complaint <u>200</u> . The motion is GRANTED. All current deadlines to file amended complaints are VACATED. The remainder of the relief sought in the Motion to dismiss <u>108</u> is DENIED WITHOUT PREJUDICE. The Complaints to which those arguments are addressed will no longer be the operative Complaints. Therefore, the remainder of that Motion is MOOT. Signed by Judge R David Proctor on 8/14/2014. (AVC) (Entered: 08/14/2014)
08/14/2014	<u>216</u>	NOTICE of Change of Address by R Christopher Cowan (Cowan, R) (Entered: 08/14/2014)
08/25/2014	<u>217</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 8/25/2014. (AVC) (Entered: 08/25/2014)
08/25/2014	<u>218</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 8/25/2014. (AVC) (Entered: 08/25/2014)
08/28/2014	<u>219</u>	STATUS REPORT (<i>Joint</i>) by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Hoover, Craig) (Entered: 08/28/2014)
08/28/2014	<u>220</u>	Brief (<i>Memorandum in Support of Plaintiffs' Proposed Discovery Plan</i>). (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 08/28/2014)
08/28/2014	<u>221</u>	Brief re <u>219</u> Status Report (<i>Brief in Support of Defendants' Discovery Plan</i>). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Hoover, Craig) (Entered: 08/28/2014)
09/02/2014	<u>222</u>	STATUS REPORT (<i>Advanced Surgery Plaintiffs' Supplemental Status Report</i>) by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 09/02/2014)
09/22/2014	<u>223</u>	ORDER –This case is SET for a status conference on 11/7/2014 at 10:00a.m., in Courtroom 7A of the Hugo L Black US Courthouse. By 11/3/2014, the parties SHALL submit a joint report containing a proposed

			briefing schedule for motions to dismiss, as well as a proposed agenda of other items that should be addressed during the status conference. Signed by Judge R David Proctor on 9/22/2014. (AVC) (Entered: 09/22/2014)
09/30/2014	<u>224</u>		AMENDED COMPLAINT (<i>Consolidated Second Amended Provider Complaint</i>) against All Defendants, filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 09/30/2014)
10/01/2014	225		TEXT ORDER Discovery Hearing set for 10/6/2014 at 11:30 AM in courtroom 3B, Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam; court reporter to be present. Signed by Magistrate Judge T Michael Putnam on 10/1/14. (ASL) (Entered: 10/01/2014)
10/06/2014			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 10/6/2014; statements from plas' and dfts' counsel; parties to submit discovery plan by 10/14/14; discovery plan to be entered by Judge Putnam; hrg adj (Court Reporter Teresa Roberson.) (ASL) (Entered: 10/06/2014)
10/09/2014	<u>226</u>		Transcript of Proceedings held on 10/6/2014, before Magistrate Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number 205-492-2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/30/2014. Redacted Transcript Deadline set for 11/10/2014. Release of Transcript Restriction set for 1/7/2015. (Attachments: # <u>1</u> cert page) (AVC) (Entered: 10/09/2014)
10/10/2014	<u>227</u>		NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel (<i>Plaintiffs' Notice of Filing of Amended Proposed Discovery Plan</i>) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ragsdale, Barry) (Entered: 10/10/2014)
10/14/2014	<u>228</u>		NOTICE by Defendants' Counsel <i>Regarding Updated Discovery Plan Proposal</i> (Attachments: # <u>1</u> Exhibit A (Defendants' Proposed Discovery Plan))(Hoover, Craig) (Entered: 10/14/2014)
10/16/2014	<u>229</u>		DISCOVERY ORDER NO. 1. Signed by Magistrate Judge T Michael Putnam on 10/16/2014. (AVC) (Entered: 10/16/2014)
10/20/2014	230		TEXT ORDER re <u>229</u> Discovery Order No. 1. At the request of the parties, the conference with the Magistrate Judge previously set for October 23, 2014, is RESET for Wednesday, October 22, 2014, at 3:00 p.m. CT in Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on October 20, 2014. (AMP) (Entered: 10/20/2014)
10/20/2014			

		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 10/20/2014. (Court Reporter none.) (ASL) (Entered: 10/21/2014)
10/22/2014	<u>231</u>	DISCOVERY ORDER NO. 2. Signed by Magistrate Judge T Michael Putnam on 10/22/14. (CTS,) (Entered: 10/22/2014)
10/22/2014		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 10/22/2014; statements from plas' and dfts' counsel; Discovery Order No. 2 to be entered; hrg adj (Court Reporter Cheryl Powell.) (ASL) (Entered: 10/22/2014)
10/31/2014	<u>232</u>	NOTICE by Blue Cross Blue Shield of Mississippi, A Mutual Insurance Company of <i>Service of Discovery Responses</i> (McDowell, M) (Entered: 10/31/2014)
11/05/2014	<u>233</u>	Transcript of Proceedings held on October 22, 2014, before Judge Putnam. Court Reporter/Transcriber Cheryl Powell. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/26/2014. Redacted Transcript Deadline set for 12/8/2014. Release of Transcript Restriction set for 2/3/2015. (MRR,) (Entered: 11/05/2014)
11/06/2014	<u>234</u>	NOTICE of Appearance by Yawanna Nabors McDonald on behalf of Defendants' Counsel (McDonald, Yawanna) (Entered: 11/06/2014)
11/07/2014		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 11/7/2014. (Court Reporter Leah Turner.) (KLL) (Entered: 11/07/2014)
11/10/2014	235	TEXT ORDER – The court conducted a status conference in this matter on November 7, 2014. As discussed during that conference, on or before December 8, 2014 , the parties SHALL file a joint status report regarding whether they have been able to reach a stipulation regarding how the court and parties should approach the personal jurisdiction, venue, and improper party–plaintiff arguments advanced by certain of the Defendants. Signed by Judge R David Proctor on 11/10/2014. (AVC) (Entered: 11/10/2014)
11/25/2014	<u>236</u>	AMENDED COMPLAINT (<i>Corrected Consolidated Second Amended Provider Complaint</i>) against All Defendants, filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 11/25/2014)
12/02/2014	<u>237</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 12/2/2014. (AVC) (Entered: 12/02/2014)
12/02/2014	<u>238</u>	

		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 12/2/2014. (AVC) (Entered: 12/02/2014)
12/02/2014	<u>239</u>	Transcript of Proceedings held on 11/7/2014, before Judge R. David Proctor. Court Reporter/Transcriber Leah Turner, Telephone number 256-656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/23/2014. Redacted Transcript Deadline set for 1/2/2015. Release of Transcript Restriction set for 3/2/2015. (AVC) (Entered: 12/02/2014)
12/08/2014	<u>240</u>	JOINT STATUS REPORT Regarding Personal Jurisdiction and Venue Motions filed by Defendants' Counsel (Sooy, Kathleen) (Entered: 12/08/2014)
12/17/2014	<u>241</u>	NOTICE by Defendants' Counsel <i>Notice of Agreement Regarding Discovery Order</i> (Hoover, Craig) (Entered: 12/17/2014)
12/18/2014	<u>242</u>	ORDER –re: Notice of Agreement Regarding Discovery Order <u>241</u> . The court construes the notice as a Joint Motion to Amend Discovery Order No. 1. The motion is GRANTED. The date for completing meet and confers under Section III.B.1 of Discovery Order No. 1 is extended to 1/14/2015, and the date for submitting to the Court any unresolved disputes under Section III.B.1 is extended to 1/16/2015. All other dates and provisions in Discovery Order No. 1 remain in place.Signed by Magistrate Judge T Michael Putnam on 12/18/2014. (AVC) (Entered: 12/18/2014)
12/18/2014	<u>243</u>	MOTION for Leave to File <i>Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal</i> by Defendants' Counsel. (Payne, Joshua) (Entered: 12/18/2014)
12/19/2014	<u>244</u>	AMENDED COMPLAINT <i>for Subscriber Track Plaintiffs</i> against All Defendants, filed by Plaintiffs' Counsel.(Kiernan, Kathleen) (Entered: 12/19/2014)
12/19/2014	245	TEXT ORDER – This matter is before the court on Defendant Capital Blue Cross's Motion to Leave to File Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal. <u>243</u> . The Motion <u>243</u> is GRANTED . Capital Blue Cross may file the referenced documents UNDER SEAL . Signed by Judge R David Proctor on 12/19/2014. (AVC) (Entered: 12/19/2014)
12/22/2014	<u>246</u>	NOTICE by Defendants' Counsel OF AGREEMENT REGARDING CFMI'S NEED TO ANSWER COMPLAINT (Norman, Brian) (Modified on 12/22/2014 (CTS,). (Entered: 12/22/2014)
12/22/2014	<u>247</u>	

		ANSWER to <u>236</u> Amended Complaint by Blue Cross and Blue Shield of Alabama.(Burkhalter, Carl) (Entered: 12/22/2014)
12/22/2014	<u>248</u>	ANSWER to <u>244</u> Amended Complaint by Blue Cross and Blue Shield of Alabama.(Burkhalter, Carl) (Entered: 12/22/2014)
12/22/2014	<u>249</u>	MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and <i>Improper Venue</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 (Declaration of Kimberly Meals))(Payne, Joshua) (Entered: 12/22/2014)
12/22/2014	250	TEXT ORDER. Telephone Conference set with Ed Gentle, Barry Ragsdale, and Kimberly West, for Tuesday, January 6, 2015, at 10:00 AM before Magistrate Judge T Michael Putnam. Counsel may call chambers by dialing 866-933-0528 and entering PIN number 3894. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on December 22, 2014. (AMP) (Entered: 12/22/2014)
12/22/2014	<u>251</u>	MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and <i>Improper Venue as to Triple-S Salud, Inc.</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Declaration of Osvaldo Feliu-Villegas)(Hernandez-Burgos, Carlos) (Entered: 12/22/2014)
12/22/2014	<u>252</u>	USABLE Mutual Insurance Company, dba Arkansas Blue Cross and Blue Shield's Answer to Subscriber Track Amended Consolidated Class Action Complaint ANSWER to <u>244</u> Amended Complaint by Defendants' Counsel.(Naranjo, Michael) (Entered: 12/22/2014)
12/22/2014	<u>253</u>	Blue Cross Blue Shield of Michigan's ANSWER to <u>236</u> Amended Complaint to Corrected Consolidated Second Amended Provider Complaint by Defendants' Counsel.(Campbell, Andrew) (Entered: 12/22/2014)
12/22/2014	<u>254</u>	Blue Cross Blue Shield of Michigan ANSWER to <u>85</u> Amended Complaint of Subscriber Complaint by Defendants' Counsel.(Campbell, Andrew) (Entered: 12/22/2014)
12/22/2014	<u>255</u>	USABLE Mutual Insurance Company dba Arkansas Blue Cross and Blue Shield's Answer to Corrected Consolidated Second Amended Provider Track Complaint ANSWER to <u>236</u> Amended Complaint by Defendants' Counsel.(Naranjo, Michael) (Entered: 12/22/2014)
12/22/2014	<u>256</u>	MOTION to Dismiss for Lack of Personal Jurisdiction and Improper Venue by Blue Cross Blue Shield of Mississippi by movant. (Attachments: # <u>1</u> Exhibit 1 (Second Supplemental Declaration of John Proctor III))(McDowell, M) (Entered: 12/22/2014)
12/22/2014	<u>257</u>	Brief re <u>256</u> MOTION to Dismiss for Lack of Personal Jurisdiction and Improper Venue by Blue Cross Blue Shield of Mississippi filed by movant. (McDowell, M) (Entered: 12/22/2014)
12/22/2014	<u>258</u>	Supplemental MOTION to Dismiss for Lack of Jurisdiction and Improper Venue by Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield by Defendants' Counsel. (Andress, D) (Entered: 12/22/2014)
12/22/2014	<u>259</u>	MOTION to Dismiss and Brief in Support by National Account Service LLC, Consortium Health Plans, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Zott, David) (Entered: 12/22/2014)

12/22/2014	<u>260</u>		ANSWER to <u>236</u> Amended Complaint by Anthem, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>261</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross Blue Shield of Florida, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>262</u>		ANSWER to <u>236</u> Amended Complaint by Louisiana Health Service & Indemnity Company.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>263</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross and Blue Shield of Massachusetts, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>264</u>		ANSWER to <u>236</u> Amended Complaint by BCBSM, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>265</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross and Blue Shield of North Carolina.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>266</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross Blue Shield of Rhode Island.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>267</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross and Blue Shield of South Carolina.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>268</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross Blue Shield of Tennessee, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>269</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross Blue Shield of Vermont.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>270</u>		ANSWER to <u>236</u> Amended Complaint by Cambia Health Solutions, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>271</u>		ANSWER to <u>236</u> Amended Complaint by Hawaii Medical Service Association.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>272</u>		ANSWER to <u>236</u> Amended Complaint by Horizon Blue Cross Blue Shield of New Jersey.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>273</u>		ANSWER to <u>236</u> Amended Complaint by Wellmark, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>274</u>		ANSWER to <u>244</u> Amended Complaint by Anthem, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>275</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross Blue Shield of Florida, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>276</u>		ANSWER to <u>244</u> Amended Complaint by Louisiana Health Service & Indemnity Company.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>277</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross and Blue Shield of Massachusetts, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>278</u>		ANSWER to <u>244</u> Amended Complaint by BCBSM, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>279</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross and Blue Shield of

			North Carolina.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>280</u>		MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> by Blue Cross of Northeastern Pennsylvania. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit of Brian Rinker, # <u>3</u> Text of Proposed Order Proposed Order)(Madden, Lezlie) (Entered: 12/22/2014)
12/22/2014	<u>281</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross Blue Shield of Rhode Island.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>282</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross and Blue Shield of South Carolina.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>283</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross Blue Shield of Tennessee, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>284</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross Blue Shield of Vermont.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>285</u>		ANSWER to <u>244</u> Amended Complaint by Cambia Health Solutions, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>286</u>		ANSWER to <u>244</u> Amended Complaint by Hawaii Medical Service Association.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>287</u>		ANSWER to <u>244</u> Amended Complaint by Horizon Blue Cross Blue Shield of New Jersey.(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>288</u>		ANSWER to <u>244</u> Amended Complaint by Wellmark, Inc..(Hoover, Craig) (Entered: 12/22/2014)
12/22/2014	<u>289</u>		ANSWER to <u>236</u> Amended Complaint by Blue Cross Blue Shield Association.(Zott, David) (Entered: 12/22/2014)
12/22/2014	<u>290</u>		ANSWER to <u>236</u> Amended Complaint by Defendants' Counsel.(Adcox, Rachel) (Entered: 12/22/2014)
12/22/2014	<u>291</u>		ANSWER to <u>244</u> Amended Complaint by CareFirst, Inc..(Norman, Brian) (Entered: 12/22/2014)
12/22/2014	<u>292</u>		ANSWER to <u>244</u> Amended Complaint by CareFirst of Maryland, Inc..(Norman, Brian) (Entered: 12/22/2014)
12/22/2014	<u>293</u>		ANSWER to <u>244</u> Amended Complaint by Group Hospitalization and Medical Services, Inc..(Norman, Brian) (Entered: 12/22/2014)
12/22/2014	<u>294</u>		ANSWER to Complaint with Jury Demand re: <u>244</u> (<i>Subscriber Track, D.I. 244</i>) by Defendants' Counsel.(Adcox, Rachel) (Entered: 12/22/2014)
12/22/2014	<u>295</u>		ANSWER to <u>244</u> Amended Complaint by Blue Cross Blue Shield Association.(Zott, David) (Entered: 12/22/2014)
12/22/2014	<u>296</u>		ANSWER to <u>236</u> Amended Complaint by CareFirst, Inc..(Norman, Brian) (Entered: 12/22/2014)
12/22/2014	<u>297</u>		ANSWER to <u>236</u> Amended Complaint by Blue Shield of California.(West, Kimberly) (Entered: 12/22/2014)

12/22/2014	<u>298</u>		<i>Defendant Premera Blue Cross's Answer and Affirmative Defenses</i> ANSWER to <u>236</u> Amended Complaint by Premera Blue Cross.(Payton, Gwendolyn) (Entered: 12/22/2014)
12/22/2014	<u>299</u>		ANSWER to <u>236</u> Amended Complaint by CareFirst of Maryland, Inc..(Norman, Brian) (Entered: 12/22/2014)
12/22/2014	<u>300</u>		ANSWER to <u>244</u> Amended Complaint by Blue Shield of California.(West, Kimberly) (Entered: 12/22/2014)
12/22/2014	<u>301</u>		<i>Defendant Premera Blue Crosss Answer and Affirmative Defenses</i> ANSWER to <u>244</u> Amended Complaint by Premera Blue Cross.(Payton, Gwendolyn) (Entered: 12/22/2014)
12/22/2014	<u>302</u>		ANSWER to <u>236</u> Amended Complaint by Group Hospitalization and Medical Services, Inc..(Norman, Brian) (Entered: 12/22/2014)
12/22/2014	<u>303</u>		ANSWER to <u>236</u> Amended Complaint by Health Care Service Corporation and Caring for Montanan's, Inc..(West, Kimberly) (Entered: 12/22/2014)
12/22/2014	<u>304</u>		ANSWER to <u>244</u> Amended Complaint by Health Care Service Corporation and Caring for Montanan's, Inc..(West, Kimberly) (Entered: 12/22/2014)
12/22/2014	<u>305</u>		<i>Blue Cross and Blue Shield of Nebraska's</i> ANSWER to Complaint with Jury Demand (<i>Answer to <u>236</u> Corrected Consolidated Second Amended Provider Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 12/22/2014)
12/22/2014	<u>306</u>		ANSWER to <u>236</u> Amended Complaint by Highmark, Inc..(West, Kimberly) (Entered: 12/22/2014)
12/22/2014	<u>307</u>		ANSWER to <u>244</u> Amended Complaint by Highmark, Inc..(West, Kimberly) (Entered: 12/22/2014)
12/22/2014	<u>308</u>		<i>Blue Cross and Blue Shield of Nebraska's</i> ANSWER to Complaint with Jury Demand (<i>Answer to <u>244</u> Amended Complaint for Subscriber Track Plaintiffs against All Defendants</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 12/22/2014)
12/22/2014	<u>309</u>		<i>Blue Cross and Blue Shield of Kansas City's</i> ANSWER to Complaint with Jury Demand (<i>Answer to <u>236</u> Corrected Consolidated Second Amended Provider Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 12/22/2014)
12/22/2014	<u>310</u>		<i>Blue Cross and Blue Shield of Kansas City's</i> ANSWER to Complaint with Jury Demand (<i>Answer to <u>244</u> Amended Complaint for Subscriber Track Plaintiffs against All Defendants</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 12/22/2014)
12/22/2014	<u>311</u>		<i>Blue Cross of Idaho Health Service Inc. 's</i> ANSWER to Complaint with Jury Demand (<i>Answer to <u>236</u> Corrected Consolidated Second Amended Provider Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 12/22/2014)
12/22/2014	<u>312</u>		<i>Blue Cross of Idaho Health Service Inc. 's</i> ANSWER to Complaint with Jury Demand (<i>Answer to <u>244</u> Amended Complaint for Subscriber Track Plaintiffs against All Defendants</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 12/22/2014)

12/22/2014	<u>313</u>		MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum in Support of Motion to Dismiss, # <u>2</u> Exhibit 1 – Supplemental Affidavit of Christine Epper (AZ), # <u>3</u> Exhibit 2 – Affidavit of Shelley Pittman (KS), # <u>4</u> Exhibit 3 – Supplemental Affidavit of Dave Keiter (WY), # <u>5</u> Exhibit 4 – Supplemental Affidavit of David Horn (HHNY), # <u>6</u> Exhibit 5 – Affidavit of Sharon Fletcher (ND)(Sooy, Kathleen) (Entered: 12/22/2014)
12/22/2014	<u>314</u>		SEALED MOTION of Capital BlueCross to dismiss. (Attachments: # <u>1</u> Exhibit 1)(KAM,) (Entered: 12/24/2014)
01/06/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 1/6/2015. (Court Reporter Teresa Roberson.) (ASL) (Entered: 01/06/2015)
01/06/2015	315		TEXT ORDER. Pursuant to the telephone conference held on January 6, 2015, the Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, January 22, 2015, at 1:30 PM in Courtroom 3B, at the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Any letter briefs regarding issues to be discussed at the Status Conference shall be submitted by the Plaintiffs no later than January 16, 2015. The Defendants may file a response no later than noon CST on January 21, 2015. Signed by Magistrate Judge T Michael Putnam on January 6, 2015. (AMP,) (Entered: 01/06/2015)
01/12/2015	<u>316</u>		ORDER –This case is SET for a status conference on 1/21/2015 at 10:00a.m., in Courtroom 7A of the Hugo L. Black United States Courthouse. By 1/19/2015, the parties SHALL submit a joint report containing a proposed briefing schedule for pending motions, as well as a proposed agenda of other items that should be addressed during the status conference. Signed by Judge R David Proctor on 1/12/2015. (AVC) (Entered: 01/12/2015)
01/13/2015	<u>317</u>		CONDITIONAL TRANSFER ORDER (CTO–15) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> cto–15 schedule with NDAL case number)(AVC) (Entered: 01/13/2015)
01/15/2015	<u>318</u>		NOTICE of Change of Address by R Christopher Cowan (Cowan, R) (Entered: 01/15/2015)
01/19/2015	<u>319</u>		REPORT Regarding Briefing Schedule and Agenda for Status Conference of January 21 2015 by Special Master. (Gentle, Edgar) (Entered: 01/19/2015)
01/20/2015	<u>320</u>		NOTICE by Defendants' Counsel of <i>Joint Motion for Entry of Proposed Case Management Order Regarding Deposition Guidelines</i> (Attachments: # <u>1</u> Proposed Case Management Order No. ____ : Deposition Guidelines)(Hoover, Craig) (Entered: 01/20/2015)
01/21/2015			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 1/21/2015. (Court Reporter Leah Turner.) (KLL) (Entered: 01/21/2015)
01/22/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing/Status Conference held on 1/22/2015. (Court Reporter Teresa Roberson.) (ASL) (Entered: 01/22/2015)

01/27/2015	<u>321</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 12/1/2014 through 12/31/2014. Signed by Judge R David Proctor on 1/27/2015. (AVC) (Entered: 01/27/2015)
01/27/2015	<u>322</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 12/1/2014 through 12/31/2014. Signed by Judge R David Proctor on 1/27/2015. (AVC) (Entered: 01/27/2015)
02/06/2015	<u>323</u>		RESPONSE in Opposition re <u>313</u> MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> , <u>258</u> Supplemental MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> by <i>Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield</i> , <u>249</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) <i>and Improper Venue</i> , <u>280</u> MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> , <u>251</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) <i>and Improper Venue</i> as to <i>Triple-S Salud, Inc.</i> , <u>256</u> MOTION to Dismiss <i>for Lack of Personal Jurisdiction and Improper Venue</i> by <i>Blue Cross Blue Shield of Mississippi</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/06/2015)
02/06/2015	<u>324</u>		DISCOVERY MEMORANDUM NO. 1. Signed by Magistrate Judge T Michael Putnam on 2/6/2015. (AVC) (Entered: 02/06/2015)
02/06/2015	<u>325</u>		RESPONSE to Motion re <u>259</u> MOTION to Dismiss <i>and Brief in Support</i> , <u>313</u> MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> , <u>258</u> Supplemental MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> by <i>Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield</i> , <u>249</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) <i>and Improper Venue</i> , <u>280</u> MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> , <u>251</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) <i>and Improper Venue</i> as to <i>Triple-S Salud, Inc.</i> , <u>314</u> SEALED MOTION, <u>256</u> MOTION to Dismiss <i>for Lack of Personal Jurisdiction and Improper Venue</i> by <i>Blue Cross Blue Shield of Mississippi</i> (<i>Subscriber Plaintiffs' Response to Motions to Dismiss Asserting Lack of Personal Jurisdiction and Improper Venue</i>) filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 02/06/2015)
02/10/2015	<u>326</u>		Transcript of Proceedings held on 1/21/2015, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 3/3/2015. Redacted Transcript Deadline set for 3/13/2015. Release of Transcript Restriction set for 5/11/2015. (AVC) (Entered: 02/10/2015)

02/12/2015	<u>327</u>		DISCOVERY ORDER NO. 3. Signed by Magistrate Judge T Michael Putnam on 2/12/2015. (AVC) (Entered: 02/12/2015)
02/13/2015	<u>328</u>		RESPONSE in Opposition re <u>259</u> MOTION to Dismiss <i>and Brief in Support</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/13/2015)
02/16/2015	<u>329</u>		Joint MOTION for Discovery <i>Order for New Parties</i> by Consortium Health Plans, Inc., National Account Service LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Zott, David) (Entered: 02/16/2015)
02/18/2015	<u>330</u>		TEXT ORDER. Pursuant to notification by the Special Master that the parties are not in need of a discovery conference at this time, the monthly status call implemented by Discovery Order No. 1 (doc. 229) is cancelled for the month of February, 2015. Signed by Magistrate Judge T Michael Putnam on February 18, 2015. (AMP,) (Entered: 02/18/2015)
02/20/2015	<u>331</u>		MOTION for Discovery <i>Schedule for Defendants Responses to Plaintiffs Requests for Production (Unopposed)</i> by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Zott, David) (Entered: 02/20/2015)
02/23/2015	<u>332</u>		DISCOVERY ORDER NO. 4 (NEW PARTIES). Signed by Magistrate Judge T Michael Putnam on 2/23/2015. (AVC) (Entered: 02/23/2015)
02/23/2015	<u>333</u>		DISCOVERY ORDER NO. 5 -- SETTING DISCOVERY SCHEDULE FOR RESPONSES TO PLAINTIFFS REQUESTS FOR PRODUCTION-- Certain dfts who have identified themselves to pltf's will have until 2/26/2015 to serve written responses and objections to the RFPs; The remaining dfts will have until 3/25/2015 to serve their written responses and objections to the RFPs. Signed by Magistrate Judge T Michael Putnam on 2/23/2015. (AVC) (Entered: 02/23/2015)
02/27/2015	<u>334</u>		ORDER --This case is SET for a status conference on 3/17/2015 at 10:00a.m., in Courtroom 7A of the Hugo L Black US Courthouse. By 3/13/2015, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 2/27/2015. (AVC) (Entered: 02/27/2015)
03/09/2015	<u>335</u>		NOTICE of Change of Address by Richard P Rouco (Rouco, Richard) (Entered: 03/09/2015)
03/10/2015	<u>336</u>		RESPONSE in Support re <u>313</u> MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue</i> filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 03/10/2015)
03/10/2015	<u>337</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference of March 17, 2015</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 03/10/2015)
03/10/2015	<u>338</u>		REPLY to Response to Motion re <u>258</u> Supplemental MOTION to Dismiss for Lack of Jurisdiction <i>and Improper Venue by Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A: Affidavit of Todd Muscatello, # <u>2</u> Exhibit B: Affidavit of Denise Carlson)(Andress, D) (Entered: 03/10/2015)
03/10/2015	<u>339</u>		

		REPLY to Response to Motion re <u>249</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and <i>Improper Venue</i> , <u>314</u> SEALED MOTION of <i>Capital BlueCross</i> filed by Defendants' Counsel. (Payne, Joshua) (Entered: 03/10/2015)
03/10/2015	<u>340</u>	REPLY to Response to Motion re <u>251</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and <i>Improper Venue as to Triple-S Salud, Inc.</i> filed by Defendants' Counsel. (Hernandez-Burgos, Carlos) (Entered: 03/10/2015)
03/10/2015	<u>341</u>	REPLY Brief filed by Movant movant re: <u>256</u> MOTION to Dismiss <i>for Lack of Personal Jurisdiction and Improper Venue by Blue Cross Blue Shield of Mississippi</i> filed by movant. (McDowell, M) (Entered: 03/10/2015)
03/10/2015	<u>342</u>	MOTION to Intervene by Amber Lambert, Jonathan Rich. (AVC) (Entered: 03/11/2015)
03/11/2015	<u>343</u>	Joint MOTION For Entry of Proposed Case Management Order Regarding Protocol Relating to the Production of Documents and Electronically Stored Information by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 03/11/2015)
03/12/2015	<u>344</u>	ORDER –re: Motion to Intervene with Newly Discovered Evidence <u>342</u> . The motion is DENIED WITHOUT PREJUDICE because it fails to attach a proposed Complaint in Intervention. The parties should be prepared to discuss an appropriate resolution of Lambert's and Rich's desire to intervene at the status conference on 3/17/2015 at 10:00a.m., in Courtroom 7A of the Hugo L Black US Courthouse. Signed by Judge R David Proctor on 3/12/2015. (AVC) (Entered: 03/12/2015)
03/16/2015	<u>345</u>	REPLY to Response to Motion re <u>259</u> MOTION to Dismiss <i>and Brief in Support</i> filed by National Account Service LLC, Consortium Health Plans, Inc.. (Zott, David) (Entered: 03/16/2015)
03/17/2015		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 3/17/2015. (Court Reporter Leah Turner.) (KLL) (Entered: 03/17/2015)
03/23/2015	346	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, March 26, 2015, at 3:00 PM, via telephone, as arranged by the Special Master. Court reporter to be present. Any written submissions by the parties are governed by subsection II.D.2. of Discovery Order No. 1. (Doc. 229, p. 6). Signed by Magistrate Judge T Michael Putnam on March 23, 2015. (AMP) (Entered: 03/23/2015)
03/23/2015	<u>347</u>	Transcript of Proceedings held on 3/17/2015, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number 256-656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%

			20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/13/2015. Redacted Transcript Deadline set for 4/23/2015. Release of Transcript Restriction set for 6/21/2015. (AVC) (Entered: 03/23/2015)
03/25/2015	<u>348</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from January 1, 2015 through February 28, 2015. Signed by Judge R David Proctor on 3/25/2015. (AVC) (Entered: 03/25/2015)
03/25/2015	<u>349</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from January 1, 2015 through February 28, 2015. Signed by Judge R David Proctor on 3/25/2015. (AVC) (Entered: 03/25/2015)
03/25/2015	<u>350</u>		JOINT STATUS REPORT Regarding Status of Discovery by Defendants' Counsel. (Hoover, Craig) (Entered: 03/25/2015)
03/26/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Status Conference held on 3/26/2015. (Court Reporter Teresa Roberson.) (ASL) (Entered: 03/26/2015)
04/07/2015	<u>351</u>		NOTICE by Plaintiffs' Counsel of <i>Filings in Related MDL Proceedings</i> (Guin, David) (Entered: 04/07/2015)
04/08/2015	<u>352</u>		CONDITIONAL TRANSFER ORDER (CTO-16) from Judicial Panel on MDL 2406 transferring 5 actions to the Northern District of Alabama. (Attachments: # <u>1</u> cto-16 schedule)(AVC) (Entered: 04/08/2015)
04/09/2015	<u>353</u>		ORDER –The parties are ORDERED to file a joint written status report by 4/20/2015 addressing the issues as set out. Signed by Judge R David Proctor on 4/9/2015. (AVC) (Entered: 04/09/2015)
04/15/2015	<u>354</u>		Joint MOTION for Entry of Expert Stipulation and Proposed Order by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Zott, David) (Entered: 04/15/2015)
04/15/2015	<u>355</u>		DISCOVERY ORDER NO. 6 – EXPERT STIPULATION. Signed by Magistrate Judge T Michael Putnam on 4/15/2015. (AVC) (Entered: 04/15/2015)
04/16/2015	<u>356</u>		CASE MANAGEMENT AND DISCOVERY ORDER No. 7: PROTOCOL RELATING TO THE PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION. Signed by Magistrate Judge T Michael Putnam on 4/16/2015. (AVC) (Entered: 04/16/2015)
04/20/2015	357		TEXT ORDER. Pursuant to notification by the Special Master that the parties are not in need of a discovery conference at this time, the monthly discovery status conference call implemented by Discovery Order No. 1 (doc. 229) is cancelled for the month of April, 2015. Signed by Magistrate Judge T Michael Putnam on April 20, 2015. (AMP) (Entered: 04/20/2015)
04/20/2015	<u>358</u>		ORDER –This case is SET for a status conference on 5/19/2015 at 10:30a.m., in Courtroom 7A of the Hugo L Black US Courthouse. By 5/15/2015, the parties SHALL submit a joint report containing proposed agenda of items the parties wish to be addressed during the status conference.

			Signed by Judge R David Proctor on 4/20/2015. (AVC) (Entered: 04/20/2015)
04/20/2015	<u>359</u>		JOINT STATUS REPORT by Defendants' Counsel. (Sooy, Kathleen) (Entered: 04/20/2015)
04/21/2015	<u>360</u>		ORDER – re: <u>359</u> Joint Status Report. In light of the stated desire of a subgroup of the moving Dfts to present additional oral argument on the pending personal jurisdiction and venue motions, the court will entertain additional argument at the 5/19/2015 status conference. However, those Dfts wishing to present argument SHALL confer and coordinate so that only one attorney will argue for those Dfts wishing to present additional argument on the issue of personal jurisdiction and another single attorney will argue for those Dfts wishing to present additional argument on the issue of venue. Signed by Judge R David Proctor on 4/21/2015. (AVC) (Entered: 04/21/2015)
04/27/2015	<u>361</u>		CONDITIONAL TRANSFER ORDER (CTO–17) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> cto–17 schedule)(AVC) (Entered: 04/27/2015)
05/04/2015	<u>362</u>		REPORT Regarding Proposed Agenda for Status Conference of May 19, 2015 by Special Master. (Gentle, Edgar) (Entered: 05/04/2015)
05/08/2015	<u>363</u>		NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel of <i>Plaintiffs' Position on Discovery Limits</i> (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 05/08/2015)
05/08/2015	<u>364</u>		NOTICE by Defendants' Counsel of <i>Defendants' Proposed Discovery Limits</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Hoover, Craig) (Entered: 05/08/2015)
05/14/2015	<u>365</u>		NOTICE by Defendants' Counsel re <u>249</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal</i>) and <i>Improper Venue</i> , <u>314</u> SEALED MOTION <i>Capital BlueCross's Notice of Filing of Supplemental Declaration in Support of Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue</i> (Attachments: # <u>1</u> Supplement Supplemental Declaration of Kimberly Meals)(Payne, Joshua) (Entered: 05/14/2015)
05/19/2015			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 5/19/2015. (Court Reporter Leah Turner.) (KLL) (Entered: 05/19/2015)
05/21/2015	366		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, May 28, 2015 at 11:00 AM, in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions by the parties are governed by subsection II.D.2. of Discovery Order No. 1. (Doc. 229, p. 6). Signed by Magistrate Judge T Michael Putnam on May 21, 2015. (AMP) (Entered: 05/21/2015)
05/26/2015	<u>367</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from March 1, 2015 through April 30, 2015. Signed by Judge R David Proctor on 5/26/2015. (AVC) (Entered: 05/26/2015)

05/26/2015	<u>368</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from March 1, 2015 through April 30, 2015. Signed by Judge R David Proctor on 5/26/2015. (AVC) (Entered: 05/26/2015)
05/27/2015	<u>369</u>		ORDER—re: Supplemental Motions to Dismiss <u>249</u> , <u>251</u> , <u>256</u> , <u>258</u> , <u>280</u> , <u>313</u> , and <u>314</u> . The Motions are due to be and hereby are DENIED WITHOUT PREJUDICE. The moving dfts may renew those motions after jurisdictional discovery is complete, if there is a basis for dismissal under Rules 12(b)(2) and/or (3). The parties are DIRECTED to work with Judge Putnam to develop a discovery plan which will allow for jurisdictional discovery. Signed by Judge R David Proctor on 5/26/2015. (AVC) (Entered: 05/27/2015)
05/27/2015	<u>370</u>		ORDER—re: Motion to Dismiss filed by NAS and CHP <u>259</u> . The motion is DENIED. The parties are DIRECTED to work with Judge Putnam to develop a discovery plan which will encompass expedited discovery on issues relevant to these Defendants' arguments for dismissal. Signed by Judge R David Proctor on 5/26/2015. (AVC) (Entered: 05/27/2015)
05/27/2015	<u>371</u>		Transcript of Proceedings held on 5/19/2015, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656–8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/17/2015. Redacted Transcript Deadline set for 6/27/2015. Release of Transcript Restriction set for 8/25/2015. (AVC) (Entered: 05/27/2015)
05/28/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 5/28/2015. (Court Reporter Sabrina Lewis.) (ASL) (Entered: 05/28/2015)
06/04/2015	<u>372</u>		CASE MANAGEMENT AND DISCOVERY ORDER No. 8. Signed by Magistrate Judge T. Michael Putnam on 6/4/2015. (KAM,) Modified on 6/5/2015 (KAM,). (Entered: 06/04/2015)
06/12/2015	<u>373</u>		MOTION to Appoint Counsel <i>Michael Murphy to Discovery Committee for the Provider Track (Unopposed)</i> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 06/12/2015)
06/15/2015	<u>374</u>		ORDER—re: <u>373</u> Motion to Appoint Michael L. Murphy to the Discovery Committee for the Provider Track. The motion is GRANTED. Mr. Murphy is APPOINTED to serve on the Provider Track Discovery Committee. Signed by Judge R David Proctor on 6/15/2015. (AVC) (Entered: 06/15/2015)
06/19/2015	<u>375</u>		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, June 25, 2015 at 3:00 p.m., via telephone, as

			arranged by the Special Master. Court reporter to be present. Any written submissions by the parties are governed by subsection II.D.2. of Discovery Order No. 1. (Doc. 229, p. 6). Signed by Magistrate Judge T Michael Putnam on June 19, 2015. (AMP) (Entered: 06/19/2015)
06/25/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 6/25/2015. (Court Reporter Cheryl Powell.) (ASL) (Entered: 06/25/2015)
06/25/2015	<u>376</u>		ORDER –Discovery Order No. 1 <u>229</u> is hereby amended that all meet and confers regarding Structured Data request shall be completed by 8/28/2015. All other dates and provisions in Discovery Order No. 1 remain in place. Signed by Magistrate Judge T Michael Putnam on 6/25/2015. (AVC) (Entered: 06/25/2015)
07/01/2015	<u>377</u>		STATUS REPORT Regarding Case Management by Defendants' Counsel. (Hoover, Craig) (Entered: 07/01/2015)
07/01/2015	<u>378</u>		Provider Plaintiffs' Submission Regarding Streamlining of the Litigation, Class Certification and Trial by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 07/01/2015)
07/01/2015	<u>379</u>		Subscriber Plaintiffs' Submission Regarding Streamlining of the Litigation, Class Certification and Trial by Plaintiffs' Counsel. (Bailey, Arthur) (Entered: 07/01/2015)
07/09/2015	380		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, July 23, 2015 at 1:00 PM, in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions by the parties are governed by subsection II.D.2 of Discovery Order No. 1. Signed by Magistrate Judge T Michael Putnam on July 9, 2015. (AMP) (Entered: 07/09/2015)
07/09/2015	<u>381</u>		ORDER–This case is SET for a status conference on 8/19/2015 at 10:30a.m. in Courtroom 7A of the Hugo L Black US Courthouse. By 8/17/2015, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 7/9/2015. (AVC) (Entered: 07/09/2015)
07/13/2015	382		TEXT ORDER. The Status Conference previously set for July 23, 2015, is RESET for Wednesday, July 29, 2015 at 10:00 AM, in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions by the parties are governed by subsection II.D.2 of Discovery Order No. 1. Signed by Magistrate Judge T Michael Putnam on July 13, 2015. (AMP) (Entered: 07/13/2015)
07/15/2015	<u>383</u>		REPLY in Support of <u>377</u> Defendants' Case Management Proposal filed by Defendants' Counsel. (Hoover, Craig) (Entered: 07/15/2015)
07/15/2015	<u>384</u>		Reply in Support of <u>378</u> Provider Plaintiffs' Submission Regarding Streamlining of the Litigation, Class Certification and Trial by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 07/15/2015)
07/15/2015	<u>385</u>		

		Subscriber Plaintiffs' Response to <u>377</u> Defendants' Status Report Regarding Case Management by Plaintiffs' Counsel. (Jones, Megan) (Entered: 07/15/2015)
07/17/2015	<u>386</u>	JOINT STATUS REPORT Regarding Discovery Order No. 8 by Defendants' Counsel. (Hoover, Craig) (Entered: 07/17/2015)
07/21/2015	<u>387</u>	SEALED MOTION–Motion to Compel BCBS–SC Production of 30(B)(6) Witnesses and Documents and Memorandum of Points and Authorities in Support Thereof by Plaintiffs' Counsel. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(AVC) (Entered: 07/21/2015)
07/22/2015	<u>388</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 7/22/2015. (AVC) (Entered: 07/22/2015)
07/22/2015	<u>389</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 7/22/2015. (AVC) (Entered: 07/22/2015)
07/29/2015		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 7/29/2015. Written order to be entered at a later date. (Court Reporter Teresa Robertson.) (YMB) (Entered: 07/29/2015)
08/04/2015	390	TEXT ORDER re <u>387</u> SEALED MOTION filed by Plaintiffs' Counsel. As discussed at the Status Conference held July 29, 2015, the defendants' response to the Sealed Motion (doc. <u>387</u>) is due no later than August 7, 2015. Any reply is due no later than August 14, 2015. Signed by Magistrate Judge T Michael Putnam on August 4, 2015. (AMP) (Entered: 08/04/2015)
08/04/2015	<u>391</u>	DISCOVERY MEMORANDUM NO. 2. Signed by Magistrate Judge T Michael Putnam on 8/4/2015. (AVC) (Entered: 08/04/2015)
08/07/2015	<u>392</u>	***Document Sealed–Pursuant to Protective Order <u>145</u> –Response in Opposition to Joint Motion to Compel Production of 30(B)(6) Witnesses and Documents (Attachments: # <u>1</u> Table of Contents and Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3 Part 1, # <u>4</u> Exhibit 3 Part 2, # <u>5</u> Exhibit 3 Part 3, # <u>6</u> Exhibit 3 Part 4, # <u>7</u> Exhibit 3 Part 5, # <u>8</u> Exhibits 4–7) (AVC) (Entered: 08/07/2015)
08/10/2015	<u>393</u>	CONDITIONAL TRANSFER ORDER (CTO–19) from Judicial Panel on MDL 2406 transferring 5 actions to the Northern District of Alabama. (Attachments: # <u>1</u> cto–19 schedule w/NDAL case numbers)(AVC) (Entered: 08/10/2015)
08/14/2015	<u>394</u>	Report Regarding Proposed Agenda for Status Conference of August 19, 2015 (Gentle, Edgar) (Entered: 08/14/2015)
08/14/2015	<u>395</u>	***SEALED*** Joint REPLY Memorandum in Further Support of Its <u>387</u> Motion to Compel BCBS–SC Production of 30(B)(6) Witnesses and Documents. (YMB) (Entered: 08/17/2015)
08/19/2015		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 8/19/2015. (Court Reporter Leah Turner.) (KLL) (Entered: 08/19/2015)

08/20/2015	<u>396</u>		ORDER –It is ORDERED that by 9/2/2015, the parties SHALL file simultaneous initial briefs, limited to thirty (30) pages, addressing the questions posed by the court at the status conference. By 9/9/2015, the parties may file responsive briefs, limited to fifteen (15) pages, on these issues. Signed by Judge R David Proctor on 8/20/2015. (AVC) (Entered: 08/20/2015)
08/21/2015	397		TEXT ORDER. The Status Conference set by Discovery Order No.1 (doc. 229) shall be held on Thursday, August 27, 2015 at 1:00 PM, in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions by the parties are governed by subsection II.D.2 of Discovery Order No.1. Signed by Magistrate Judge T Michael Putnam on August 21, 2015. (AMP) (Entered: 08/21/2015)
08/24/2015	<u>398</u>		Transcript of Proceedings held on 8/19/2015, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number 256-656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/14/2015. Redacted Transcript Deadline set for 9/24/2015. Release of Transcript Restriction set for 11/22/2015. (AVC) (Entered: 08/24/2015)
08/25/2015	<u>399</u>		Transcript of Proceedings held on 1/6/2015, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number 205-492-2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/15/2015. Redacted Transcript Deadline set for 9/25/2015. Release of Transcript Restriction set for 11/23/2015. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 08/25/2015)
08/25/2015	<u>400</u>		Transcript of Proceedings held on 3/26/2015, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number 205-492-2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the

			<p>Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/15/2015. Redacted Transcript Deadline set for 9/25/2015. Release of Transcript Restriction set for 11/23/2015. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 08/25/2015)</p>
08/25/2015	<u>401</u>		<p>Transcript of Proceedings held on 7/29/2015, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number 205-492-2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/15/2015. Redacted Transcript Deadline set for 9/25/2015. Release of Transcript Restriction set for 11/23/2015. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 08/25/2015)</p>
08/25/2015	<u>402</u>		<p>MOTION for Protective Order to Preclude Discovery of Unrelated Litigation by Blue Cross Blue Shield Antitrust Litigation MDL 2406. (Attachments: # <u>1</u> Supplement Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(Campbell, Andrew) (Entered: 08/25/2015)</p>
08/26/2015	<u>403</u>		<p>CONDITIONAL TRANSFER ORDER (CTO-20) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> cto-20 schedule w/NDAL case numbers)(AVC) (Entered: 08/26/2015)</p>
08/26/2015	<u>404</u>		<p>CONDITIONAL TRANSFER ORDER (CTO-21) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> cto-21 schedule w/NDAL case numbers)(AVC) (Entered: 08/26/2015)</p>
08/27/2015			<p>Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Status Conference – Discovery Hearing held on 8/27/2015. (Court Reporter Lindy Fuller.) (ASL) (Entered: 08/27/2015)</p>
08/27/2015	<u>405</u>		<p>ORDER AMENDING DISCOVERY ORDER NO. 1. Signed by Magistrate Judge T Michael Putnam on 8/27/2015. (AVC) (Entered: 08/27/2015)</p>
08/27/2015	406		<p>TEXT ORDER re <u>402</u> MOTION for Protective Order. Plaintiffs may file a Response to the Motion for Protective Order and a Motion to Compel no later than September 1, 2015. Defendant Blue Cross Blue Shield of Michigan may file a Response to the Plaintiffs' Motion to Compel no later than September 8, 2015. No Replies to be filed. A Hearing regarding the Motion for Protective Order and any Motion to Compel filed by the Plaintiffs is SET for Thursday,</p>

			September 17, 2015, at 10:00 AM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on August 27, 2015. (AMP) (Entered: 08/27/2015)
08/27/2015	407		TEXT ORDER. As discussed in the Discovery Status Conference held August 27, 2015, any Motions to Compel by the Plaintiffs regarding access to BCBSA archives or production of documents concerning the pending Anthem/Cigna merger may be filed no later than September 14, 2015. Any Response by the Defendants may be filed no later than September 21, 2015. No Replies shall be filed. Oral argument on the Motions will be heard immediately following the September 2015 Discovery Status Conference. Signed by Magistrate Judge T Michael Putnam on August 27, 2015. (AMP,) (Entered: 08/27/2015)
09/01/2015	<u>408</u>		MOTION to Compel Production of Documents by Blue Cross Blue Shield of Michigan by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 09/01/2015)
09/01/2015	<u>409</u>		Brief in Support of <u>408</u> Motion to Compel Production of Documents and in Opposition to <u>402</u> Motion for Protective Order by filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Whatley, Joe) (Entered: 09/01/2015)
09/02/2015	<u>410</u>		DISCOVERY ORDER No. 9. Signed by Magistrate Judge T Michael Putnam on 9/2/2015. (AVC) (Entered: 09/02/2015)
09/08/2015	<u>411</u>		BRIEF in Response to <u>408</u> Motion to Compel Production of Documents by Blue Cross Blue Shield of Michigan . (Campbell, Andrew) (Entered: 09/08/2015)
09/08/2015	<u>412</u>		Brief Regarding <u>396</u> Certification and Trial of a Nationwide Injunction Class and an Alabama Damages Class. (Whatley, Joe) (Entered: 09/08/2015)
09/08/2015	<u>413</u>		SUPPLEMENTAL SUBMISSION Regarding Case Management by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Hoover, Craig) (Entered: 09/08/2015)
09/08/2015	<u>414</u>		POST-HEARING Submission in Support of <u>396</u> Proposal to Streamline the Litigation filed by Plaintiffs' Counsel. (Guin, David) (Entered: 09/08/2015)
09/08/2015	<u>415</u>		Brief in Response to <u>396</u> Court's August 20,2015 Order, filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Burkhalter, Carl) (Entered: 09/08/2015)
09/09/2015	<u>416</u>		CONDITIONAL TRANSFER ORDER (CTO-22) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> cto-22 schedule with NDAL case number)(AVC) (Entered: 09/09/2015)
09/11/2015	<u>417</u>		Consent MOTION for Extension of Time to Object to Court's Discovery Order No. 9 by Defendants' Counsel. (Rogers, Bruce) (Entered: 09/11/2015)
09/11/2015	418		TEXT ORDER – This matter is before the court on Defendant Blue Cross and Blue Shield of South Carolina's Consent Motion for an Extension of

			Time to Object to the Court's Discovery Order No. 9. <u>417</u> . The Motion <u>417</u> is GRANTED . The deadline to object is EXTENDED until fourteen (14) days after a ruling on Defendant Blue Cross and Blue Shield of South Carolina's anticipated Motion to Reconsider. Signed by Judge R David Proctor on 9/11/2015. (AVC) (Entered: 09/11/2015)
09/14/2015	<u>419</u>		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Monday, October 5, 2015 at 2:00 PM, in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1. Signed by Magistrate Judge T Michael Putnam on September 14, 2015. (AMP) (Entered: 09/14/2015)
09/14/2015	<u>420</u>		MOTION to Compel <i>Inspection of the Blue Cross Blue Shield Association's Archives</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>2</u> Exhibit H)(Whatley, Joe) (Entered: 09/14/2015)
09/14/2015	<u>421</u>		MOTION to Compel <i>Anthem's Production of the Anthem-Cigna Merger Documents</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>2</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L)(Whatley, Joe) (Entered: 09/14/2015)
09/16/2015	<u>422</u>		MOTION to Amend <u>327</u> Discovery Order No. 3 by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/16/2015)
09/16/2015	<u>423</u>		Brief in Support of <u>422</u> MOTION to Amend Discovery Order No. 3 filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/16/2015)
09/16/2015	<u>424</u>		MOTION for Reconsideration of <u>410</u> the Court's Discovery Order No. 9 by Defendants' Counsel. (Rogers, Bruce) (Entered: 09/16/2015)
09/17/2015	425		TEXT ORDER re <u>422</u> Plaintiffs' Motion to Amend <u>327</u> Discovery Order No. 3. The plaintiffs and defendants may file briefs in support or opposition to the motion by no later than September 28, 2015. The briefs may be no more than ten (10) pages in length . Oral argument on the motion will be heard immediately following the Discovery Status Conference set for October 5, 2015. Signed by Magistrate Judge T Michael Putnam on September 17, 2015. (AMP) (Entered: 09/17/2015)
09/17/2015	426		TEXT ORDER re <u>424</u> Defendant Blue Cross and Blue Shield of South Carolina's Motion for Reconsideration of <u>410</u> the Court's Discovery Order No. 9. The plaintiffs may file a response to the Motion no later than September 28, 2015. The response may be no more than twelve (12) pages in length . Oral argument on the motion will be heard immediately following the Discovery Status Conference set for October 5, 2015. Signed by Magistrate Judge T Michael Putnam on September 17, 2015. (AMP) (Entered: 09/17/2015)
09/17/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 9/17/2015 re <u>402</u> MOTION for Protective Order to <i>Preclude Discovery of Unrelated Litigation</i> filed by Blue Cross Blue Shield Antitrust Litigation MDL 2406, and <u>408</u> MOTION to Compel

			Production of Documents by Blue Cross Blue Shield of Michigan filed by Plaintiffs' Counsel; counsel for plas and dfts present; arguments by counsel; court's remarks; hrg adj (Court Reporter Lindy Fuller.) (ASL) (Entered: 09/17/2015)
09/21/2015	<u>427</u>		RESPONSE in Opposition to <u>420</u> Motion to Compel filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 7/23/15 Letter to Plaintiff)(Zott, David) (Entered: 09/21/2015)
09/21/2015	<u>428</u>		MOTION to Amend Discovery Order No. 1 by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Amending Discovery Order No. 1)(Hoover, Craig). (Entered: 09/21/2015)
09/21/2015	<u>429</u>		OPPOSITION to <u>421</u> Motion to Compel Production of Documents Related to Proposed CIGNA Acquisition filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – Correspondence, # <u>2</u> Exhibit B – Anthem's Letter Brief)(Hoover, Craig) (Entered: 09/21/2015)
09/22/2015	<u>430</u>		JOINT STATUS Regarding Additional Subscriber & Provider Underlying Complaints by Defendants' Counsel. (Sooy, Kathleen) (Entered: 09/22/2015)
09/22/2015	<u>431</u>		REPLY Brief regarding <u>396</u> Certification and Trial of a Nationwide Injunction Class and an Alabama Damages Class. (Attachments: # <u>1</u> Exhibit 1 – SEALED, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Whatley, Joe) (Entered: 09/22/2015)
09/22/2015	<u>432</u>		REPLY to Supplemental Submissions Regarding Case Management filed by Defendants' Counsel. (Hoover, Craig) (Entered: 09/22/2015)
09/22/2015	<u>433</u>		REPLY Brief in Response to the Court's August 20, 2015 Order <u>396</u> filed by Defendant Defendants' Counsel. (Burkhalter, Carl) (Entered: 09/22/2015)
09/22/2015	<u>434</u>		Subscriber Plaintiffs' Post–Hearing Response in Further Support of their Proposal to Streamline the Litigation re <u>396</u> , <u>414</u> , <u>412</u> , <u>413</u> filed by Plaintiffs' Counsel. (Guin, David) (Entered: 09/22/2015)
09/23/2015	<u>435</u>		***Document Sealed –Pursuant to Protective Order <u>145</u> –Exhibit 1 to <u>431</u> Provider Plaintiffs' Reply Brief Regarding Certification and Trial of a Nationwide Injunction Class and an Alabama Damages Class. (Attachments: # <u>1</u> Exhibit 1) (AVC) (Entered: 09/23/2015)
09/23/2015	<u>436</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2015 through August 31, 2015 in this matter relating solely to services provided to the Plaintiffs. Signed by Judge R David Proctor on 9/23/2015. (AVC) (Entered: 09/23/2015)
09/23/2015	<u>437</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2015 through August 31, 2015 in this matter as it relates to services rendered for both sides of the case. Signed by Judge R David Proctor on 9/23/2015. (AVC) (Entered: 09/23/2015)
09/28/2015	<u>438</u>		Opposition to <u>424</u> Motion for Reconsideration filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/28/2015)

09/28/2015	<u>439</u>		Opposition to <u>422</u> Motion to Amend Discovery Order No. 3 filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 09/28/2015)
10/05/2015	440		TEXT ORDER re <u>424</u> MOTION for Reconsideration of <u>410</u> the Court's Discovery Order No. 9. Oral Argument of the Motion is RESET for Thursday, October 8, 2015, at 3:00 PM, via telephone, before Magistrate Judge T Michael Putnam, as arranged by the Special Master. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on October 5, 2015. (AMP) (Entered: 10/05/2015)
10/05/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 10/5/2015; re: SC Motion for reconsideration (doc #424); Ed Gentle, Special Master, plas' counsel Barry Ragsdale & Bill Butterfield, and SC counsel Bruce Rogers present; motion hearing to be held by telephone re: doc #424 on Thursday, 10/8/15 at 3:00 pm (Court Reporter Sabrina Lewis.) (ASL) (Entered: 10/05/2015)
10/05/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Status Conference held on 10/5/2015; updates from counsel on meet & confer process; discussion regarding items for next discovery conference; arguments by counsel on motions #420, #421, & #422; hrg adj (Court Reporter Leah Turner.) (ASL) (Entered: 10/05/2015)
10/08/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held by telephone on 10/8/2015 re <u>424</u> MOTION for Reconsideration of <u>410</u> the Court's Discovery Order No. 9 filed by Defendants' Counsel; arguments by counsel for SC dft; arguments by counsel for plas; court's remarks; taken under submission (Court Reporter Teresa Roberson.) (ASL) (Entered: 10/08/2015)
10/15/2015	<u>441</u>		MOTION for Leave to File <i>Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal by Capital BlueCross</i> by Defendants' Counsel. (Payne, Joshua) (Entered: 10/15/2015)
10/16/2015	442		TEXT ORDER – This matter is before the court on Defendant Capital Blue Cross's Motion for Leave to File Unredacted Version of Motion to Dismiss and Supporting Declaration Under Seal. <u>441</u> . The Motion <u>441</u> is GRANTED . Capital Blue Cross may file the referenced documents UNDER SEAL . Signed by Judge R David Proctor on 10/16/2015. (AVC) (Entered: 10/16/2015)
10/19/2015	<u>443</u>		NOTICE by Defendants' Counsel re <u>255</u> Answer to Amended Complaint, <i>US Able Mutual Insurance Company, dba Arkansas Blue Cross and Blue Shield's Notice that its Answer and Affirmative Defenses to Corrected Consolidated Second Amended Provider Complaint Applies to Newly Filed Provider Track Complaints</i> (Naranjo, Michael) (Entered: 10/19/2015)
10/19/2015	<u>444</u>		ANSWER to Complaint with Jury Demand by Blue Cross & Blue Shield of Mississippi .(McDowell, M) (Entered: 10/19/2015)
10/19/2015	<u>445</u>		ANSWER to <u>236</u> Amended Complaint by Consortium Health Plans, Inc..(Zott, David) (Entered: 10/19/2015)
10/19/2015	<u>446</u>		MOTION to Dismiss for Lack of Jurisdiction <i>by Blue Cross & Blue Shield of Mississippi</i> by movant. (Attachments: # <u>1</u> Exhibit 1 (Declaration of John H.

			Proctor, III))(McDowell, M) (Entered: 10/19/2015)
10/19/2015	<u>447</u>		Brief in Support of <u>446</u> Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue by Blue Cross & Blue Shield of Mississippi. (McDowell, M) (Entered: 10/19/2015)
10/19/2015	<u>448</u>		ANSWER to <u>236</u> Amended Complaint by National Account Service LLC.(Zott, David) (Entered: 10/19/2015)
10/19/2015	<u>449</u>		NOTICE Regarding Responsive Pleadings to Newly-Filed Complaints by Defendants' Counsel (Hoover, Craig) (Entered: 10/19/2015)
10/19/2015	<u>450</u>		NOTICE that Its Answer and Affirmative Defenses to Corrected Consolidated Second Amended Provider Complaint Applies to Newly Filed Provider-Track Complaints by Independence Hospital Indemnity Plan, Inc.'s (f/k/a Independence Blue Cross) (Briggs, John) (Entered: 10/19/2015)
10/19/2015	<u>451</u>		NOTICE Regarding Responsive Pleadings to Newly Filed Complaints by Highmark Inc. (Zolner, Erica) (Entered: 10/19/2015)
10/19/2015	<u>452</u>		NOTICE Regarding Responsive Pleadings to Newly Filed Complaints by Health Care Service Corporation and Caring For Montanans, Inc. (Zolner, Erica) (Entered: 10/19/2015)
10/19/2015	<u>453</u>		NOTICE of Answers and Affirmative Defenses to Tag-Along Actions by Defendants' Counsel (Norman, Brian) (Entered: 10/19/2015)
10/19/2015	<u>454</u>		NOTICE Regarding Responsive Pleading to Newly-Filed Complaints by Blue Cross Blue Shield of Michigan (Stenerson, Todd) (Entered: 10/19/2015)
10/19/2015	<u>455</u>		NOTICE Regarding Responsive Pleadings to Newly-Filed Complaints by Premera Blue Cross, Also, d/b/a Premera Blue Cross Blue Shield of Alaska. (Payton, Gwendolyn) (Entered: 10/19/2015)
10/19/2015	<u>456</u>		MOTION to Dismiss for Provider Complaints for Lack of Personal Jurisdiction and Improper Venue, and Brief in Support Thereof by Triple-S Salud . (Attachments: # <u>1</u> Exhibit 1)(Hernandez-Burgos, Carlos) (Entered: 10/19/2015)
10/20/2015	<u>457</u>		DISCOVERY ORDER NO. 10-The Motion for Protective Order <u>402</u> is DENIED, and the Motion to Compel <u>408</u> is GRANTED as set out. Signed by Magistrate Judge T Michael Putnam on 10/20/2015. (AVC) (Entered: 10/20/2015)
10/20/2015	<u>458</u>		DISCOVERY ORDER NO. 11. Signed by Magistrate Judge T Michael Putnam on 10/20/2015. (AVC) (Entered: 10/20/2015)
10/20/2015	<u>459</u>		DISCOVERY ORDER NO. 12. Signed by Magistrate Judge T Michael Putnam on 10/20/2015. (AVC) (Entered: 10/20/2015)
10/22/2015	460		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, November 19, 2015 at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1. Oral Argument on <u>428</u> MOTION to Amend Discovery Order No. 1 will be heard immediately following the conference. Any response to the

		motion may be no more than two (2) pages in length and is due no later than October 29, 2015. No replies shall be filed. Signed by Magistrate Judge T Michael Putnam on October 22, 2015. (AMP) (Entered: 10/22/2015)
10/23/2015	<u>461</u>	MOTION to Dismiss for Lack of Personal Jurisdiction by California Physicians' Service, Inc., d/b/a Blue Shield of California. (Zolner, Erica) (Entered: 10/23/2015)
10/23/2015	<u>462</u>	Brief in Support of <u>461</u> MOTION to Dismiss for Lack of Personal Jurisdiction. (Attachments: # <u>1</u> Affidavit of Jennifer Garrison)(Zolner, Erica) (Entered: 10/23/2015)
10/23/2015	<u>463</u>	NOTICE Regarding Responsive Pleadings to Newly Filed Complaints by California Physicians' Services Inc., d/b/a Blue Shield of California. (Zolner, Erica) (Entered: 10/23/2015)
10/28/2015	<u>464</u>	<i>Highmark Inc.'s ANSWER to Complaint with Jury Demand (Subscriber Track – Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(West, Kimberly) (Entered: 10/28/2015)
10/28/2015	<u>465</u>	<i>Highmark Inc.'s ANSWER to Complaint with Jury Demand (Provider Track – Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(West, Kimberly) (Entered: 10/28/2015)
10/29/2015	<u>466</u>	JOINT NOTICE of Agreement to Amend Discovery Order No. 1 <u>229</u> by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 10/29/2015)
10/29/2015	<u>467</u>	MOTION to Dismiss for Lack of Jurisdiction by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Andress, D) (Entered: 10/29/2015)
10/29/2015	<u>468</u>	Transcript of Proceedings held on 08/27/2015, before Magistrate Judge T. Michael Putnam Court Reporter/Transcriber Lindy M. Fuller, Telephone number (205) 527–2958. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/19/2015. Redacted Transcript Deadline set for 11/29/2015. Release of Transcript Restriction set for 1/27/2016. (Attachments: # <u>1</u> certificaion page) (AVC) (Entered: 10/29/2015)
10/30/2015	<u>469</u>	ORDER –The court ORDERS that the pending Motions to Dismiss <u>446</u> , <u>456</u> , <u>461</u> and <u>467</u> are DENIED WITHOUT PREJUDICE. Moving dfts' personal jurisdiction and venue defenses are DEEMED PRESERVED to be addressed by this court immediately prior to remand, or by the respective transferor courts after remand. Signed by Judge R David Proctor on 10/30/2015. (AVC) (Entered: 10/30/2015)

10/30/2015	<u>470</u>		JOINT NOTICE of Agreement to Amend Discovery Order No. 1 <u>229</u> by Defendants' Counsel (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 10/30/2015)
11/03/2015	<u>471</u>		Transcript of Proceedings held on 9/17/2015, before Magistrate Judge T. Michael Putnam. Court Reporter/Transcriber Lindy S. Fuller, Telephone number (205) 527-2958. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/24/2015. Redacted Transcript Deadline set for 12/4/2015. Release of Transcript Restriction set for 2/1/2016. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 11/03/2015)
11/03/2015	<u>472</u>		Defendant Blue Cross Blue Shield of Michigan's Opposed MOTION to Modify the Time to Object to Discovery Order No. 10 by Defendants' Counsel. (Campbell, Andrew) (Entered: 11/03/2015)
11/03/2015	<u>473</u>		Defendant Blue Cross Blue Shield of Michigan's Opposed Motion for Clarification of Discovery No. 10 by Defendants' Counsel. (Campbell, Andrew) (Entered: 11/03/2015)
11/03/2015	<u>474</u>		Defendant Blue Cross Blue Shield of Michigan's Brief in Support of <u>473</u> Opposed Motion for Clarification of Discovery No. 10. (Campbell, Andrew) (Entered: 11/03/2015)
11/04/2015	<u>475</u>		DISCOVERY ORDER No. 13-Dft's motion for reconsideration <u>424</u> is GRANTED IN PART and DENIED IN PART as set out. Signed by Magistrate Judge T Michael Putnam on 11/4/2015. (AVC) (Entered: 11/04/2015)
11/05/2015	<u>476</u>		MOTION to Compel <i>Blue Cross Blue Shield Association to De-Designate Documents Improperly Designated as Confidential in Violation of Protective Order</i> by Plaintiffs. (Attachments: # <u>1</u> Affidavit Declaration of Joe R. Whatley, Jr., # <u>2</u> Text of Proposed Order)(Whatley, Joe) (Entered: 11/05/2015)
11/05/2015	<u>477</u>		***Document Sealed, pursuant to Protective Order <u>145</u> -Exhibit 5 to the Declaration of Joe R. Whatley, Jr. in Support of <u>476</u> Plaintiff's Motion to Compel Blue Cross Blue Shield Association to De-Designate Documents Improperly Designated as Confidential in Violation of the Protective Order. (Attachments: # <u>1</u> Exhibit 5) (AVC) (Entered: 11/05/2015)
11/05/2015	478		TEXT ORDER granting <u>472</u> Motion to Modify the Time to Object to Discovery Order No. 10. Parties shall have fourteen (14) days following the entry of the court's decision regarding <u>473</u> Defendant Blue Cross Blue Shield of Michigan's Opposed Motion for Clarification of Discovery Order No. 10 to file objections to <u>457</u> Discovery Order No. 10. Signed by Magistrate Judge T Michael Putnam on November 5, 2015. (AMP) (Entered: 11/05/2015)

11/05/2015	<u>479</u>		TEXT ORDER. Any response to <u>473</u> Defendant Blue Cross Blue Shield of Michigan's Opposed Motion for Clarification of Discovery No. 10 is due no later than November 18, 2015, and may be no more than eleven (11) pages in length. Any response to <u>476</u> Plaintiff's Opposed Motion to Compel is due no later than November 18, 2015 and may be no more than sixteen (16) pages in length. Signed by Magistrate Judge T Michael Putnam on November 5, 2015. (AMP) (Entered: 11/05/2015)
11/18/2015	<u>480</u>		RESPONSE to <u>473</u> Defendant Blue Cross Blue Shield of Michigan's Motion for Clarification filed by Plaintiffs. (Whatley, Joe) (Entered: 11/18/2015)
11/18/2015	<u>481</u>		RESPONSE in Opposition to <u>476</u> Motion to Compel filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Zott, David) (Entered: 11/18/2015)
11/19/2015	<u>482</u>		***Document Sealed, pursuant to Protective Order <u>145</u> –Exhibit A to Response in Opposition to Motion to Compel. (AVC) (Entered: 11/19/2015)
11/19/2015			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Status Conference held on 11/19/2015; updates by counsel re meet & confer; streamlining question and issues anticipated for Dec conf discussed; arguments by counsel on BCBS Michigan Motion <u>473</u> ; arguments by counsel on plas' motion to compel association re confidential doc designation <u>476</u> ; motions under submission, order to be entered; hrg adj (Court Reporter Lindy Fuller.) (ASL) (Entered: 11/19/2015)
11/20/2015	<u>483</u>		ORDER AMENDING DISCOVERY ORDER NO. 1. Signed by Magistrate Judge T Michael Putnam on 11/20/2015. (AVC) (Entered: 11/20/2015)
11/20/2015	<u>484</u>		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Tuesday, December 15, 2015 at 2:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1. Signed by Magistrate Judge T Michael Putnam on November 20, 2015. (AMP) (Entered: 11/20/2015)
11/20/2015	<u>485</u>		DISCOVERY ORDER NO. 14. Signed by Magistrate Judge T Michael Putnam on 11/20/2015. (AVC) (Entered: 11/20/2015)
11/24/2015	<u>486</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services and expenses incurred from 9/1/2015 through 10/31/2015 relating solely to serviced provided to the plaintiffs, and totaling \$25,000.00. Signed by Judge R David Proctor on 11/24/2015. (KAM,) (Entered: 11/24/2015)
11/24/2015	<u>487</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 9/1/2015 through 10/31/2015 as it relates to serviced rendered for both sided of the case, and totaling \$10,000.00. Signed by Judge R David Proctor on 11/24/2015. (KAM,) (Entered: 11/24/2015)
12/01/2015	<u>488</u>		MOTION to Compel <i>Defendant Blue Cross Blue Shield of Alabama to Designate Koko Mackin and Robin Stone as Production Custodians</i> by Plaintiffs. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Whatley, Joe) (Entered: 12/01/2015)
12/07/2015	<u>489</u>		

		ORDER –This case is SET for a discovery conference and a status conference on 1/14/2016. The discovery conference will be held at 10:00a.m. in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, Al before Magistrate Judge T Michael Putnam. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1. The status conference will be held at 2:00p.m., in Courtroom 7A of the Hugo L Black US Courthouse, Birmingham, Al. By 1/8/2016, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 12/7/2015. (AVC) (Entered: 12/07/2015)
12/08/2015	<u>490</u>	Transcript of Proceedings held on 11/19/2015, before Magistrate Judge T. Michael Putnam. Court Reporter/Transcriber Lindy M. Fuller, Telephone number (205)527–2958. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/29/2015. Redacted Transcript Deadline set for 1/8/2016. Release of Transcript Restriction set for 3/7/2016. (AVC) (Entered: 12/08/2015)
12/09/2015	<u>491</u>	DISCOVERY ORDER No. 15. Signed by Magistrate Judge T Michael Putnam on 12/9/2015. (AVC) (Entered: 12/09/2015)
12/10/2015	<u>492</u>	RESPONSE to <u>488</u> Opposed Motion to Compel Designation of Koko Mackin and Robin Stone as Production Custodians filed by Defendants' Counsel. (Malatesta, John) (Entered: 12/10/2015)
12/10/2015	<u>493</u>	MOTION To Limit The Time Period Applicable To Production Of Documents In Response To Certain Unstructured Data Requests by Defendants' Counsel. (Attachments: # <u>1</u> Appendix Exhibit Index, # <u>2</u> Exhibit A – Subscriber and Provider Plaintiffs Requests for Production to All Defendants, January 20, 2015, # <u>3</u> Exhibit B – iDS Affidavit, December 10, 2015, # <u>4</u> Exhibit C – C. Cottrell Letter to B. Ragsdale, February 6, 2015, # <u>5</u> Exhibit D – C. Cottrell Letter to B. Ragsdale, April 16, 2015, # <u>6</u> Exhibit E – P. Sheehan Letter to C. Cottrell, December 1, 2015, # <u>7</u> Exhibit F – C. Cottrell Letter to B. Ragsdale, December 5, 2015, # <u>8</u> Exhibit G – C. Cottrell Email to Plaintiffs, December 9, 2015, # <u>9</u> Exhibit H – In re Ready–Mixed Concrete Antitrust Litig Entry August 18, 2006)(Zott, David) (Entered: 12/10/2015)
12/14/2015	<u>494</u>	JOINT NOTICE of Agreement to Amend Discovery Order No. 1 by Defendants' Counsel (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 12/14/2015)
12/14/2015	<u>495</u>	DISCOVERY ORDER No. 16–The Motion to Compel BCBAS to de–designate certain documents as confidential <u>476</u> is DENIED. Signed by Magistrate Judge T Michael Putnam on 12/14/2015. (AVC) (Entered: 12/14/2015)

		12/14/2015)
12/15/2015		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 12/15/2015; meet & confer updates by counsel; arguments by counsel re: motion <u>492</u> & motion <u>493</u> ; response by pla to motion <u>493</u> to be filed by Monday 12/21/15; order to be entered; hrg adj (Court Reporter Cheryl Powell.) (ASL) (Entered: 12/15/2015)
12/18/2015	<u>496</u>	Transcript of Proceedings held on 12/15/15, before Judge T. Michael Putnam. Court Reporter/Transcriber Cheryl K. Powell, Telephone number 256-508-4050. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 1/8/2016. Redacted Transcript Deadline set for 1/18/2016. Release of Transcript Restriction set for 3/17/2016. (MRR,) Modified on 1/11/2016 (MRR,). (Entered: 12/18/2015)
12/21/2015	<u>497</u>	CONDITIONAL TRANSFER ORDER (CTO-23) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama. (Attachments: # <u>1</u> Schedule CTO-23 with NDAL Case Numbers)(AVC) (Entered: 12/21/2015)
12/21/2015	<u>498</u>	MOTION for Leave to File <i>Unredacted Version of Declaration in Support of Motion to Dismiss Under Seal by Capital BlueCross</i> by Defendants' Counsel. (Payne, Joshua) (Entered: 12/21/2015)
12/21/2015	<u>499</u>	RESPONSE to <u>493</u> Motion To Limit The Time Period Applicable To Production Of Documents In Response To Certain Unstructured Data Requests filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Whatley, Joe) (Entered: 12/21/2015)
12/22/2015	<u>500</u>	MOTION to Dismiss for Lack of Jurisdiction by movant. (Attachments: # <u>1</u> Exhibit 1 (Declaration of John H. Proctor, III))(McDowell, M) (Entered: 12/22/2015)
12/22/2015	<u>501</u>	Brief re <u>500</u> MOTION to Dismiss for Lack of Jurisdiction filed by movant. (McDowell, M) (Entered: 12/22/2015)
12/23/2015	<u>502</u>	ORDER AMENDING DISCOVERY ORDER NO. 1-The parties Joint Notice of Agreement to Amend Discovery Order No. 1 <u>494</u> is GRANTED. Discovery Order No. 1 hereby is amended as set out. Signed by Magistrate Judge T Michael Putnam on 12/23/2015. (AVC) (Entered: 12/23/2015)
12/23/2015	503	TEXT ORDER – This matter is before the court on Capital Blue Cross's Motion for Leave to File Unredacted Version of Declaration Under Seal <u>498</u> . The Motion <u>498</u> is GRANTED . Capital Blue Cross may file the referenced document UNDER SEAL . All Counsel are REMINDED to file pleadings

			related only to individual cases on the docket for the individual cases rather than on the MDL docket. That is, further Motions to Dismiss should be filed in the individual cases to which they relate. The court also directs attention to its October 30, 2015 Order <u>469</u> . Signed by Judge R David Proctor on 12/23/2015. (AVC) (Entered: 12/23/2015)
12/23/2015	<u>504</u>		NOTICE of Filing Supplemental Exhibit In Support of Their Response to BCBSA's Motion to Limit the Time Period Applicable to Production of Documents in Response to Certain Unstructured Data Requests by Plaintiffs (Attachments: # <u>1</u> Exhibit F – Part 1, # <u>2</u> Exhibit F – Part 2)(Whatley, Joe) (Entered: 12/23/2015)
12/28/2015	<u>505</u>		NOTICE That Its Answer and Affirmative Defenses to Subscriber–Track Amended Consolidated Class–Action Complaint Applies to Newly Amended Subscriber–Track Complaints by Defendants' Counsel (Briggs, John) (Entered: 12/28/2015)
12/28/2015	<u>506</u>		NOTICE Regarding Responsive Pleading to Newly–Filed Complaints by Blue Cross Blue Shield of Michigan (Campbell, Andrew) (Entered: 12/28/2015)
12/28/2015	<u>507</u>		NOTICE Regarding Responsive Pleadings to Newly Filed Complaints by Highmark Inc. (Zolner, Erica) (Entered: 12/28/2015)
12/28/2015	<u>508</u>		NOTICE of Answers and Affirmative Defenses to Tag–Along Actions by Defendants' Counsel . (Norman, Brian) (Entered: 12/28/2015)
12/28/2015	<u>509</u>		MOTION For Leave To File A Reply by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Reply In Support Of Motion To Limit The Time Period For Production Of Certain Unstructured Data)(Zott, David) (Entered: 12/28/2015)
12/28/2015	<u>510</u>		NOTICE Regarding Responsive Pleading to Newly Filed Complaints by Blue Shield of California. (Zolner, Erica) (Entered: 12/28/2015)
12/29/2015	<u>511</u>		NOTICE by Defendants' Counsel <i>Regarding Responsive Pleadings to Newly–Filed Complaints</i> (Yinger, Emily) (Entered: 12/29/2015)
12/30/2015	<u>512</u>		NOTICE by Defendants' Counsel <i>Regarding Responsive Pleadings to Newly–Filed Complaints</i> (Payton, Gwendolyn) (Entered: 12/30/2015)
12/31/2015	<u>513</u>		MOTION to Compel by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Malatesta, John) (Entered: 12/31/2015)
01/04/2016	<u>514</u>		Consent MOTION for Leave to File <i>Surreply</i> by Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – Surreply, # <u>2</u> Text of Proposed Order)(Whatley, Joe) (Entered: 01/04/2016)
01/05/2016	<u>515</u>		ORDER granting motions <u>509</u> & <u>514</u> . The Association is directed to file its reply by 1/8/2016, and the pltf's are directed to file a surreply by 1/12/2016. Signed by Magistrate Judge T Michael Putnam on 1/5/2016. (AVC) (Entered: 01/05/2016)
01/05/2016	<u>516</u>		REPLY in Support of <u>493</u> Motion to Limit the Time Period for Production of Certain Unstructured Data filed by Defendants' Counsel. (Zott, David) (Entered: 01/05/2016)

01/06/2016	<u>517</u>		SURREPLY in Support of Their Response to BCBSA's Motion to Limit the Time Period Applicable to Production of Documents in Response to Certain Unstructured Data Requests filed by Plaintiffs. (Whatley, Joe) (Entered: 01/06/2016)
01/06/2016	<u>518</u>		DISCOVERY ORDER NO. 17– The pltfs' Motion to Compel <u>488</u> is GRANTED, and dft BCBS–AL is DIRECTED to designate Koko Mackin and Robin Stone as production custodians. Signed by Magistrate Judge T Michael Putnam on 1/6/2016. (AVC) (Entered: 01/06/2016)
01/06/2016	<u>519</u>		STATUS REPORT Regarding Proposed Agenda For Status Conference of January 14, 2016 filed by Special Master. (Gentle, Edgar) (Entered: 01/06/2016)
01/08/2016	<u>520</u>		Revised Report Regarding Proposed Agenda for Status Conference of January 14, 2016 by Special Master. (Gentle, Edgar) (Entered: 01/08/2016)
01/11/2016	<u>521</u>		RESPONSE to <u>513</u> Motion to Compel filed by Plaintiffs. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 01/11/2016)
01/11/2016	<u>522</u>		DISCOVERY ORDER No. 18– The Motion to Limit The Applicable Time Periods Relation to the Plaintiff's Requests for Unstructured Data <u>493</u> is GRANTED IN PART and DENIED IN PART. BCBSA shall be required to produce responsive unstructured data back to 1995 and through December 31, 2013. Signed by Magistrate Judge T Michael Putnam on 1/11/2016. (AVC) (Entered: 01/11/2016)
01/11/2016	<u>523</u>		MOTION for Summary Judgment by Defendants' Counsel. (Priester, James) (Entered: 01/11/2016)
01/11/2016	<u>524</u>		JOINT Brief in Support of <u>523</u> Motion for Summary Judgment filed by Defendants' Counsel. (Priester, James) (Entered: 01/11/2016)
01/11/2016	<u>525</u>		Evidentiary Material re: <u>523</u> MOTION for Summary Judgment , <u>524</u> Brief . (Priester, James) (Entered: 01/11/2016)
01/12/2016	<u>526</u>		***Document Sealed –Pursuant to Protective Order <u>145</u> –Joint Brief in Support of Their Motion Based on the Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims. (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Exhibit A, # <u>3</u> Exhibit A–1, # <u>4</u> Exhibit A–2, # <u>5</u> Exhibit A–3, # <u>6</u> Exhibit A–4, # <u>7</u> Exhibit A–5, # <u>8</u> Exhibit A–6, # <u>9</u> Exhibit A–7, # <u>10</u> Exhibit A–8, # <u>11</u> Exhibit A–9, # <u>12</u> Exhibit A–10, # <u>13</u> Exhibit A–11, # <u>14</u> Exhibit A–12, # <u>15</u> Exhibit A–13, # <u>16</u> Exhibit A–14, # <u>17</u> Exhibit A–15, # <u>18</u> Exhibit A–16, # <u>19</u> Exhibit A–17, # <u>20</u> Exhibit A–18, # <u>21</u> Exhibit A–19, # <u>22</u> Exhibit A–20, # <u>23</u> Exhibit A–21, # <u>24</u> Exhibit A–22, # <u>25</u> Exhibit A–23, # <u>26</u> Exhibit A–24, # <u>27</u> Exhibit A–25, # <u>28</u> Exhibit A–26, # <u>29</u> Exhibit A–27, # <u>30</u> Exhibit A–28, # <u>31</u> Exhibit A–29, # <u>32</u> Exhibit A–30, # <u>33</u> Exhibit A–31, # <u>34</u> Exhibit A–32, # <u>35</u> Exhibit A–33, # <u>36</u> Exhibit A–34, # <u>37</u> Exhibit A–35, # <u>38</u> Exhibit A–36, # <u>39</u> Exhibit A–37, # <u>40</u> Exhibit A–38, # <u>41</u> Exhibit A–39, # <u>42</u> Exhibit A–40, # <u>43</u> Exhibit A–41, # <u>44</u> Exhibit A–42, # <u>45</u> Exhibit A–43, # <u>46</u> Exhibit A–44, # <u>47</u> Exhibit A–45, # <u>48</u> Exhibit A–46, # <u>49</u> Exhibit A–47, # <u>50</u> Exhibit A–48, # <u>51</u> Exhibit A–49, # <u>52</u> Exhibit A–50, # <u>53</u> Exhibit A–51, # <u>54</u> Exhibit B) (AVC) (Entered: 01/12/2016)

01/13/2016	<u>527</u>		Provider Plaintiffs' STATUS REPORT by Plaintiffs. (Whatley, Joe) (Entered: 01/13/2016)
01/14/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 1/14/2016; discussions regarding progress of discovery and time periods for production; arguments by counsel re: <u>513</u> motion to compel by dft BCBS AL; hrg adj (Court Reporter Cheryl Powell.) (ASL) (Entered: 01/14/2016)
01/14/2016			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 1/14/2016. (Court Reporter Leah Turner.) (KLL) (Entered: 01/14/2016)
01/19/2016	<u>528</u>		Transcript of Proceedings held on January 14, 2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Cheryl Powell, Telephone number 256-508-4050. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/9/2016. Redacted Transcript Deadline set for 2/19/2016. Release of Transcript Restriction set for 4/18/2016. (MRR,) (Entered: 01/19/2016)
01/19/2016	<u>529</u>		NOTICE by Defendants' Counsel <i>Blue Cross and Blue Shield of Alabama's Regarding Responsive Pleadings to Newly Filed Complaints</i> (Burkhalter, Carl) (Entered: 01/19/2016)
01/19/2016	<u>530</u>		ORDER—A Discovery Status Conference is SET for Monday, January 25, 2016, at 1:30 PM in Courtroom 3B of the Hugo L. Black United States Courthouse, Birmingham, Alabama before Magistrate Judge T Michael Putnam. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on 1/19/2016. (AVC) (Entered: 01/19/2016)
01/21/2016	<u>531</u>		Transcript of Proceedings held on 1/14/2016, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/11/2016. Redacted Transcript Deadline set for 2/22/2016. Release of Transcript Restriction set for 4/20/2016. (AVC) (Entered: 01/21/2016)

01/21/2016	<u>532</u>		Joint MOTION For Entry of Discovery and Briefing Schedule and Proposed Order by Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 01/21/2016)
01/22/2016	<u>533</u>		DISCOVERY ORDER AND BRIEFING SCHEDULE–re: <u>532</u> Joint Motion For Entry of Discovery and Briefing Schedule. The joint Motion is GRANTED. It is ORDERED that Consortium and NASCO will substantially complete production of agreed–upon documents by 1/31/2016. Provider Plaintiffs may notice up to three Rule 30(b)(6) deposition sessions to be completed by 3/31/2016. Consortium and NASCO will file any motions and their opening brief within thirty (30) days of Providers Plaintiffs' last Rule 30(b)(6) deposition session. Provider Plaintiffs will file any opposition papers within thirty (30) days of Consortium and NASCO's opening brief. Consortium and NASCO will file any reply papers within twenty–one (21) days of Provider Plaintiffs' opposition papers. Signed by Judge R David Proctor on 1/22/2016. (AVC) (Entered: 01/22/2016)
01/24/2016	<u>534</u>		STATUS REPORT in Advance of January 25, 2016 Hearing by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16)(Malatesta, John) (Entered: 01/24/2016)
01/25/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 1/25/2016; arguments by counsel re BCBS AL Motion to Compel (doc # <u>513</u>) (Court Reporter Lindy Fuller.) (ASL) (Entered: 01/25/2016)
01/28/2016	<u>535</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 11/1/2015 through 12/31/2015 in this matter relating solely to services provided to the plaintiffs Signed by Judge R David Proctor on 1/28/2016. (KAM,) Modified on 1/28/2016 (KAM,). (Entered: 01/28/2016)
01/28/2016	<u>536</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 11/1/2015 through 12/31/2015 in this matter as it relates to services rendered for both sides. Signed by Judge R David Proctor on 1/28/2016. (KAM,) (Entered: 01/28/2016)
02/04/2016	<u>537</u>		Transcript of Proceedings held on 1/25/2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Lindy M. Fuller, Telephone number (205) 527–2958. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/25/2016. Redacted Transcript Deadline set for 3/7/2016. Release of Transcript Restriction set for 5/4/2016. (AVC) (Entered: 02/04/2016)

			02/04/2016)
02/05/2016	538		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, February 25, 2016, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1. Signed by Magistrate Judge T Michael Putnam on February 5, 2016. (AMP) (Entered: 02/05/2016)
02/08/2016	<u>539</u>		MOTION to Compel by Plaintiffs. (Ragsdale, Barry) (Entered: 02/08/2016)
02/08/2016	<u>540</u>		Brief in Support of Motion to Compel. (Ragsdale, Barry) (Entered: 02/08/2016)
02/10/2016	<u>541</u>		ORDER – re: <u>539</u> Motion to Compel Discovery from Defendant Blue Cross Blue Shield of Alabama Regarding the Filed–Rate Doctrine. Dft Blue Cross Blue Shield of Alabama SHALL respond to the Motion by 2/18/2016. Pltfs may reply by 2/23/2016. The Motion is set for a hearing on 3/18/2016 at 9:30a.m., in Courtroom 7A of the Hugo L Black US Courthouse. Signed by Judge R David Proctor on 2/10/2016. (AVC) (Entered: 02/10/2016)
02/12/2016	542		TEXT ORDER – This case is SET for a status conference on Friday, March 18, 2016 , in conjunction with the hearing previously set on the Alabama Subscriber Plaintiffs Motion to Compel Discovery from Defendant Blue Cross Blue Shield of Alabama Regarding the Filed–Rate Doctrine. On or before March 11, 2016 , the parties SHALL submit a joint report containing a proposed agenda of items that should be addressed during the status conference. Signed by Judge R David Proctor on 2/12/2016. (AVC) (Entered: 02/12/2016)
02/12/2016	<u>543</u>		MOTION to Quash Deposition and Document Production Notices by Alabama Department of Insurance, The, Steve Ostlund, Robert Turner . (Attachments: # <u>1</u> Exhibit Depo notice to Dept. of Insurance, # <u>2</u> Exhibit Depo notice to S. Ostlund, # <u>3</u> Exhibit Depo notice to R. Turner)(McDonald, John) (Entered: 02/12/2016)
02/15/2016	<u>544</u>		BRIEF in Support of Alabama Subscriber Plaintiffs' Motion to Compel the Production of Documents Responsive to Plaintiffs' Second Request for Production of Documents by Plaintiffs' Counsel. (Attachments: # <u>1</u> Supplement Certificate of Compliance With Rule 37, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Text of Proposed Order Proposed Order)(Davis, Gregory) (Entered: 02/15/2016)
02/17/2016	<u>545</u>		ORDER–re: <u>543</u> MOTION to Quash Subpoenas. Subscriber Plaintiffs SHALL respond to the Motion by 2/26/2016. The Department of Insurance may reply by 3/4/2016. The Motion is SET for a hearing during the status conference previously set for 3/18/2016 at 9:30a.m., in Courtroom 7A of the Hugo L Black US Courthouse. Signed by Judge R David Proctor on 2/17/2016. (AVC) (Entered: 02/17/2016)
02/18/2016	<u>546</u>		Joint MOTION to Amend Protective Order by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Hoover, Craig) (Entered: 02/18/2016)
02/18/2016	<u>547</u>		

			Opposition to <u>539</u> Alabama Subscriber Plaintiffs' Motion to Compel Discovery Regarding the Filed–Rate Doctrine filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Priester, James) (Entered: 02/18/2016)
02/22/2016	<u>548</u>		RESPONSE to Motion re <u>539</u> MOTION to Compel (<i>Provider Plaintiffs' Response</i>) filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Brown, W) (Entered: 02/22/2016)
02/22/2016	<u>549</u>		Opposition to re <u>544</u> <i>Blue Cross and Blue Shield of Alabama's Response in Opposition to Plaintiffs' Motion to Compel the Production of Documents Responsive to Plaintiffs' Second Request for Production of Documents</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Malatesta, John) (Entered: 02/22/2016)
02/23/2016	<u>550</u>		QUALIFIED PROTECTIVE ORDER amending the terms of the Protective order entered 12/17/2013 as set out in this order. Signed by Judge R David Proctor on 2/23/2016. (KAM,)** SUPPLEMENTED BY <u>1488</u> ** Modified on 9/1/2017 (KAM,). (Entered: 02/23/2016)
02/23/2016	<u>551</u>		REPLY Brief filed by Plaintiffs Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re: <u>539</u> MOTION to Compel <i>Discovery from BCBS–AL re the Filed–Rate Doctrine</i> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 02/23/2016)
02/23/2016	<u>552</u>		***Document Sealed – Evidentiary submissions in support of <u>549</u> (Attachments: # <u>1</u> TOC, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5) (KAM,) (Entered: 02/24/2016)
02/25/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 2/25/2016; <u>513</u> dft BCBS–AL's motion to compel is granted by agreement of the parties, provider plas' to produce documents within 10 days; <u>544</u> Alabama Subscriber Plas' motion to compel, arguments by counsel, motion taken under submission; hrg adj. (Court Reporter Leah Turner.) (ASL) (Entered: 02/25/2016)
02/25/2016	<u>553</u>		DISCOVERY ORDER No. 19; granting <u>513</u> Motion to Compel; The Provider Plaintiffs are ORDERED to produce, within ten (10) days of the entry of this Order, documents in the Provider Plaintiffs possession that support the allegation that hospitals and other facilities have closed and that other providers have reduced the scope of their services as a result of the defendants alleged antitrust conduct.. Signed by Magistrate Judge T Michael Putnam on 2/25/2016. (KAM,) (Entered: 02/25/2016)
02/26/2016	<u>554</u>		Opposition to <u>543</u> MOTION to Quash Discovery Subpoenas filed by Plaintiffs' Counsel. (Davis, Gregory) (Entered: 02/26/2016)
03/01/2016	<u>555</u>		CONDITIONAL TRANSFER ORDER (CTO–24) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama (Attachments: # <u>1</u> CTO–24 Schedule with NDAL case numbers)(AVC) (Entered: 03/01/2016)
03/02/2016	<u>556</u>		Transcript of Proceedings held on February 25, 2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Leah S. Turner, Telephone

		<p>number (256) 656–8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 3/23/2016. Redacted Transcript Deadline set for 4/4/2016. Release of Transcript Restriction set for 5/31/2016. (MRR,) (Entered: 03/02/2016)</p>
03/02/2016	<u>557</u>	<p>Transcript of Proceedings held on 10/5/2015, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number (205) 492–2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 3/23/2016. Redacted Transcript Deadline set for 4/4/2016. Release of Transcript Restriction set for 5/31/2016. (Attachments: # <u>1</u> Certification Page) (AVC) (Entered: 03/02/2016)</p>
03/03/2016	<u>558</u>	<p>Submission of Proposed Order by Defendants' Counsel re: <u>539</u> Motion to Compel (Attachments: # <u>1</u> Exhibit A)(Malatesta, John) (Entered: 03/03/2016)</p>
03/04/2016	<u>559</u>	<p>Brief in Support of <u>543</u> Motion to Quash filed by Defendants' Counsel. (Hoover, Craig) (Entered: 03/04/2016)</p>
03/04/2016	<u>560</u>	<p>Brief in Support of <u>543</u> Motion to Quash Deposition and Document Production Notices filed by Alabama Department of Insurance, Steve Ostlund, Robert Turner. (McDonald, John) (Entered: 03/04/2016)</p>
03/07/2016	561	<p>TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Wednesday, March 23, 2016, at 2:00 p.m. in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on March 7, 2016. (AMP) (Entered: 03/07/2016)</p>
03/09/2016	<u>562</u>	<p>JOINT MOTION to Compel Search Term Disclosures by Hogan Lovells Defendants and Memorandum of Points and Authorities in Support Thereof by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Affidavit Declaration of William P. Butterfield and Supporting Exhibits A–E, # <u>2</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 03/09/2016)</p>

03/09/2016	<u>563</u>		MOTION to Compel Defendant Highmark to Expedite the Production of Documents Related to Meetings Between Defendants by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Text of Proposed Order)(Whatley, Joe) Modified on 3/10/2016 (AVC,). (Entered: 03/09/2016)
03/09/2016	<u>564</u>		Provider Plaintiffs' MOTION to Compel Defendant Blue Cross and Blue Shield of Alabama to Expedite Production of Certain Documents by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Whatley, Joe) (Entered: 03/09/2016)
03/10/2016	<u>565</u>		SURREPLY to <u>551</u> Alabama Subscriber Plaintiffs' Reply Memorandum in Support of Motion to Compel Discovery Regarding the Filed Rate Doctrine filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Priester, James) (Entered: 03/10/2016)
03/11/2016	<u>566</u>		REPORT Regarding Proposed Agenda for Status Conference of March 18, 2016 by Special Master. (Gentle, Edgar) (Entered: 03/11/2016)
03/15/2016	<u>567</u>		DISCOVERY ORDER No. 20–re: <u>544</u> Motion to Compel. Signed by Magistrate Judge T Michael Putnam on 3/15/16. (AVC) (Entered: 03/15/2016)
03/18/2016			Minute Entry for proceedings held before Judge R David Proctor: Motion Hearing held on 3/18/2016 re <u>543</u> MOTION to Quash, <u>539</u> MOTION to Compel. (Court Reporter Teresa Roberson.) (KLL) (Entered: 03/18/2016)
03/18/2016	<u>568</u>		RESPONSE to <u>563</u> Motion to Compel Defendant Highmark to Expedite the Production of Documents Related to Meetings Among Certain Defendants filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(Zolner, Erica) (Entered: 03/18/2016)
03/18/2016	<u>569</u>		RESPONSE in Opposition to <u>563</u> Provider Plaintiff's Motion to Compel Defendant Highmark to Expedite the Production of Documents Related to Meetings Between Defendants filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Briggs, John) (Entered: 03/18/2016)
03/18/2016	<u>570</u>		Hogan Lovells Defendants' Memorandum of Law in Opposition to <u>562</u> Joint Motion to Compel Search Term Disclosures filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – Cohen Declaration, # <u>2</u> Exhibit B – 2016.01.06 Subscriber Pls ltr to Hogan in resp to 10.16 & 11.30 ltrs re search terms w appx, # <u>3</u> Exhibit C – 2015.11.17 Hogan ltr to Butterfield in resp to 11.06 ltr re search terms, # <u>4</u> Exhibit D – 2015.07.10 DFs' Response to Pls' 6.23 ltr re unstructured disc proposal w appx, # <u>5</u> Exhibit E – 2015.10.16 Hogan ltr to Pls re revised search term proposal w appx, # <u>6</u> Exhibit F – 2015.05.21 Hogan ltr to PLs re 4.29.15 m&c and re search terms w appx, # <u>7</u> Exhibit G – 2015.06.02 Pls' (Sheehan) ltr to Hogan re RFPs & in resp to 05.21 ltr, # <u>8</u> Exhibit H – 2015.06.09 Hogan response to Pls 06.02 ltr re certain RFPs, # <u>9</u> Exhibit I – 2015.07.30 Hogan ltr to PLs re ESI protocol, # <u>10</u> Exhibit J – 2015.10.30 Hogan ltr to Butterfield, et al in resp to 10.27 ltr re search terms, # <u>11</u> Exhibit K – 2015.10.31 Hogan Response to Lemmon

		10.30 ltr re search terms, # <u>12</u> Exhibit L – 2015.11.05 Sheehan ltr to Hogan re Search Terms w appx, # <u>13</u> Exhibit M – 2015.11.30 Hogan ltr to Sheehan in resp to 11.05 ltr re search terms w appx, # <u>14</u> Exhibit N – 2016.02.01 Martin ltr to Butterfield re plans' search terms w appx, # <u>15</u> Exhibit O – 2016.03.17 Cohen email to Pls re Search Terms, # <u>16</u> Exhibit P – In-re-Takata-Airbag-Prods-Liab-Litig, # <u>17</u> Exhibit Q – In re Polyurethane (ESI), # <u>18</u> Exhibit R – Fresh and Process Potatoes ESI Protocol)(Martin, John) (Entered: 03/18/2016)
03/21/2016	<u>571</u>	ORDER–It is ORDERED that that the Motion to Compel Discovery from Defendant Blue Cross Blue Shield of Alabama Regarding the Filed Rate Doctrine <u>539</u> is GRANTED. The Alabama Department of Insurance's Motion to Quash Subpoenas <u>543</u> is DENIED. The depositions at issue SHALL go forward. Plaintiffs are allowed a total of eight (8) hours for the two depositions, and those eight hours may be allocated between the two deponents as needed. Signed by Judge R David Proctor on 3/21/2016. (AVC) (Entered: 03/21/2016)
03/21/2016	<u>572</u>	RESPONSE to <u>564</u> Motion to Compel Defendant Blue Cross and Blue Shield of Alabama to Expedite Production of Certain Documents filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Malatesta, John) (Entered: 03/21/2016)
03/22/2016	<u>573</u>	Transcript of Proceedings held on 3/18/2016, before Judge R. David Proctor. Court Reporter/Transcriber Teresa Roberson, Telephone number (205) 492–2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/12/2016. Redacted Transcript Deadline set for 4/22/2016. Release of Transcript Restriction set for 6/20/2016. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 03/22/2016)
03/23/2016	<u>574</u>	Joint MOTION to Amend Schedule in October 30 Order <u>469</u> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Hogewood, Mark) (Entered: 03/23/2016)
03/23/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 3/23/2016; arguments by counsel on motions, doc # <u>562</u> , # <u>563</u> & # <u>564</u> . (Court Reporter Cheryl Powell.) (ASL) (Entered: 03/23/2016)
03/24/2016	<u>575</u>	AMENDED SCHEDULING ORDER–The court hereby AMENDS the schedule in the court's October 30, 2016 Order <u>469</u> as set out. The schedule SHALL apply to the prioritized proceedings in <i>American Electric Motor Services Inc. v. Blue Cross and Blue Shield of Alabama et al.</i> , Case No. 2:12–cv–02169–RDP, <i>Conway v. Blue Cross and Blue Shield of Alabama et</i>

			<i>al.</i> , Case No. 2:12–cv–02532–RDP, and <i>Pettus Plumbing & Piping, Inc. v. Blue Cross Blue Shield of Alabama et al.</i> , Case no. 3:16–cv–00297–RDP. Signed by Judge R David Proctor on 3/23/2016. (AVC) (Entered: 03/24/2016)
03/24/2016	<u>576</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT of services rendered and expenses incurred from January 1, 2016 through February 29, 2016. Signed by Judge R David Proctor on 3/24/2016. (AVC) (Entered: 03/24/2016)
03/24/2016	<u>577</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT of services rendered and expenses incurred from January 1, 2016 through February 29, 2016. Signed by Judge R David Proctor on 3/24/2016. (AVC) (Entered: 03/24/2016)
03/29/2016	<u>578</u>		CONDITIONAL TRANSFER ORDER (CTO–25) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama. (Attachments: # <u>1</u> CTO–25 Schedle with NDAL case numbers)(AVC) (Entered: 03/29/2016)
03/31/2016	<u>579</u>		Transcript of Proceedings held on March 23, 2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Cheryl Powell, Telephone number 256–508–4050. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/21/2016. Redacted Transcript Deadline set for 5/2/2016. Release of Transcript Restriction set for 6/29/2016. (MRR,) (Entered: 03/31/2016)
04/01/2016	<u>580</u>		JOINT NOTICE of Agreement to Amend Discovery Order No. 1 by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Hoover, Craig) (Entered: 04/01/2016)
04/04/2016	<u>581</u>		Unopposed MOTION for Entry of Discovery Order by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 04/04/2016)
04/08/2016	<u>582</u>		CONDITIONAL TRANSFER ORDER (CTO–26) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> CTO–26 Schedule w/NDAL case number)(AVC) (Entered: 04/08/2016)
04/08/2016	<u>583</u>		NOTICE That Its Answer and Affirmative Defenses to Subscriber Plaintiffs' Amended Consolidated Class Action Complaint Applies to Newly Filed Subscriber Track Complaints by USABLE Mutual Insurance Company d/b/a Arkansas Blue Cross and Blue Shield. (Naranjo, Michael) (Entered: 04/08/2016)

04/13/2016	<u>584</u>		ORDER AMENDING DISCOVERY ORDER No. 1. Signed by Magistrate Judge T Michael Putnam on 4/13/2016. (AVC) (Entered: 04/13/2016)
04/13/2016	<u>585</u>		DISCOVERY ORDER No. 21. Signed by Magistrate Judge T Michael Putnam on 4/13/2016. (AVC) (Entered: 04/13/2016)
04/13/2016	<u>586</u>		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, April 28, 2016, at 2:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on April 13, 2016. (AMP) (Entered: 04/13/2016)
04/14/2016	<u>587</u>		Joint MOTION To Enter Order Authorizing Disclosure of Certain Personally Identifiable Information by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 04/14/2016)
04/14/2016	<u>588</u>		Opposed MOTION to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Materials Related to the Drummond Litigation by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Part 1, # <u>2</u> Exhibit A – Part 2, # <u>3</u> Exhibit A – Part 3, # <u>4</u> Exhibit B)(Whatley, Joe) (Entered: 04/14/2016)
04/14/2016	<u>589</u>		MOTION to Compel Plaintiffs to Comply with the ESI Protocol or, in the Alternative, for a Protective Order by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Zeiger, Jeffrey) (Entered: 04/14/2016)
04/15/2016	<u>590</u>		ORDER AUTHORIZING DISCLOSURE OF CERTAIN PERSONALLY IDENTIFIABLE INFORMATION—granting Motion <u>587</u> . Signed by Magistrate Judge T Michael Putnam on 4/15/2016. (AVC) (Entered: 04/15/2016)
04/18/2016	<u>591</u>		Opposed MOTION for a Protective Order Requiring any Party to Receive Leave of the Court Before Serving Discovery on Absent Class Members by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 04/18/2016)
04/18/2016	<u>592</u>		Brief in Support of <u>591</u> Opposed Motion for a Protective Order Requiring any Party to Receive Leave of the Court Before Serving Discovery on Absent Class Members. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Ragsdale, Barry) (Entered: 04/18/2016)
04/19/2016	<u>593</u>		CONDITIONAL TRANSFER ORDER (CTO–27) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> CTO–27 Schedule w/NDAL case number)(AVC) (Entered: 04/19/2016)
04/19/2016	<u>594</u>		DISCOVERY ORDER No. 22. Signed by Magistrate Judge T Michael Putnam on 4/19/2016. (AVC) (Entered: 04/19/2016)
04/20/2016	<u>595</u>		NOTICE of Change of Address by Archie C Lamb, Jr (Lamb, Archie) (Entered: 04/20/2016)

04/20/2016	<u>596</u>		AMENDED Brief in Support of <u>591</u> Opposed Motion for a Protective Order Requiring any Party to Receive Leave of the Court Before Serving Discovery on Absent Class Members. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Ragsdale, Barry) (Entered: 04/20/2016)
04/21/2016	<u>597</u>		DISCOVERY ORDER No. 23 regarding <u>562</u> Motion to Compel ; Except as provided herein, the motion to compel is DENIED in all other respects.. Signed by Magistrate Judge T Michael Putnam on 4/21/2016. (KAM,) (Entered: 04/21/2016)
04/22/2016	<u>598</u>		DISCOVERY ORDER No. 24—denying <u>563</u> Motion to Compel. Signed by Magistrate Judge T Michael Putnam on 4/22/2016. (AVC) (Entered: 04/22/2016)
04/25/2016	<u>599</u>		ORDER —This case is SET for a status conference on 8/11/2016 at 9:00a.m., in Courtroom 7A of the Hugo L Black US Courthouse. By 8/5/2016, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 4/25/2016. (AVC) (Entered: 04/25/2016)
04/25/2016	<u>600</u>		JOINT Opposition to <u>589</u> Motion to Compel or, in the Alternative, For a Protective Order filed by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 04/25/2016)
04/25/2016	<u>601</u>		RESPONSE to <u>588</u> Provider Plaintiffs' Motion to Compel Production of All Discovery from the Drummond Litigation filed by Defendants' Counsel. (Burkhalter, Carl) (Entered: 04/25/2016)
04/25/2016	<u>602</u>		RESPONSE to <u>591</u> Opposed Motion for a Protective Order Requiring any Party to Receive Leave of the Court Before Serving Discovery on Absent Class Members filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 4/13/16 Cottrell Letter to Ragsdale & Brown, # <u>2</u> Exhibit B – 4/12/16 Notice of Document Subpoena to UnitedHealth Grp. Inc., # <u>3</u> Exhibit C – 4/8/16 Cottrell Letter to Ragsdale & Brown)(Zott, David) (Entered: 04/25/2016)
04/28/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 4/28/2016; arguments by counsel on motions (docs <u>588</u> , <u>589</u> , & <u>591</u>) (Court Reporter Julie Martin.) (ASL) (Entered: 04/28/2016)
05/06/2016	<u>603</u>		CONDITIONAL TRANSFER ORDER (CTO–28) from Judicial Panel on MDL 2406 transferring 3 actions to the Northern District of Alabama. (Attachments: # <u>1</u> CTO–28 Schedule with NDAL Case Numbers)(AVC) (Entered: 05/06/2016)
05/09/2016	<u>604</u>		Transcript of Proceedings held on April 28, 2016, before Judge T Michael Putnam. Court Reporter/Transcriber Julie A. Martin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at

			http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf See Transcript Redaction Policy Redaction Request due 5/30/2016. Redacted Transcript Deadline set for 6/9/2016. Release of Transcript Restriction set for 8/8/2016. (MRR,) (Entered: 05/09/2016)
05/11/2016	<u>605</u>		CONDITIONAL TRANSFER ORDER (CTO-29) from Judicial Panel on MDL 2406 transferring 2 actions to the Northern District of Alabama (Attachments: # <u>1</u> CTO-29 Schedule with NDAL case numbers)(AVC) (Entered: 05/11/2016)
05/12/2016	606		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, May 26, 2016, at 2:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on May 12, 2016. (AMP) (Entered: 05/12/2016)
05/12/2016	<u>607</u>		Plaintiffs' MOTION to Amend Discovery Order No. 14 by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 05/12/2016)
05/12/2016	<u>608</u>		Brief in Support of <u>607</u> Plaintiffs' Motion to Amend Discovery Order No. 14 filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 05/12/2016)
05/12/2016	<u>609</u>		MOTION To Amend Discovery Order No. 1 by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Hoover, Craig) (Entered: 05/12/2016)
05/12/2016	<u>610</u>		Provider Plaintiffs' MOTION to Compel Defendants National Account Service Company LLC and Consortium Health Plans, Inc. to Produce Documents and Disclosures and to Set the Time Period for NASCO and CHP's Production in the Accelerated Alabama Case by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Text of Proposed Order)(Whatley, Joe) (Entered: 05/12/2016)
05/12/2016	<u>611</u>		MOTION to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Post-2013 Materials Related to Hospital Tiering and Provider Contract Cancellations and For Clarification of Discovery Order No. 18 by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Text of Proposed Order)(Whatley, Joe) (Entered: 05/12/2016)
05/13/2016	612		TEXT ORDER re <u>589</u> Motion of Health Care Service Corporation and Caring for Montanans, Inc., to Compel Plaintiffs to Comply with the ESI Protocol or, in the Alternative, for a Protective Order. The court has been informed by the parties that the matter has been resolved and, accordingly, the motion is MOOT. Signed by Magistrate Judge T Michael Putnam on May 13, 2016. (AMP) (Entered: 05/13/2016)
05/16/2016	<u>613</u>		DISCOVERY ORDER No. 25 denying the Motion to Compel <u>588</u> . Signed by Magistrate Judge T Michael Putnam on 5/13/2016. (AVC) (Entered: 05/16/2016)

05/16/2016	<u>614</u>		NOTICE of Supplemental Authority by Plaintiffs' Counsel (Whatley, Joe) (Entered: 05/16/2016)
05/17/2016	<u>615</u>		Subscriber Plaintiffs' MOTION to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Organizational Charts by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 05/17/2016)
05/17/2016	<u>616</u>		DISCOVERY ORDER No. 26– granting <u>591</u> Motion for a Protective Order. Signed by Magistrate Judge T Michael Putnam on 5/17/2016. (AVC) (Entered: 05/17/2016)
05/19/2016	<u>617</u>		Joint MOTION for Order Regarding Court Reporters by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Wood, Edward) (Entered: 05/19/2016)
05/23/2016	<u>618</u>		ORDER granting Joint Motion for Order Regarding Court Reporters <u>617</u> . This Order shall apply to all depositions taken by court reporters contracted in the Blue Cross Blue Shield Antitrust Litigation in cases that are currently pending in MDL No. 2406. Signed by Magistrate Judge T Michael Putnam on 5/23/2016. (AVC) (Entered: 05/23/2016)
05/23/2016	<u>619</u>		RESPONSE to <u>609</u> MOTION To Amend Discovery Order No. 1 filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Whatley, Joe) (Entered: 05/23/2016)
05/23/2016	<u>620</u>		OPPOSITION to <u>607</u> Plaintiffs' Motion to Amend Discovery Order No. 14 filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Exhibit 1– Provider Plaintiffs' Subpoena to United)(Hoover, Craig) (Entered: 05/23/2016)
05/23/2016	<u>621</u>		Opposition to <u>611</u> Plaintiffs' Motion to Compel Production of Post–2013 Materials filed by Defendants' Counsel. (Burkhalter, Carl) (Entered: 05/23/2016)
05/24/2016	<u>622</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from March 1, 2016 through April 30, 2016 in this matter relating solely to services provided to the Plaintiffs. Signed by Judge R David Proctor on 5/24/2016. (AVC) (Entered: 05/24/2016)
05/24/2016	<u>623</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from March 1, 2016 through April 30, 2016 in this matter as it relates to services rendered for both sides of the case. Signed by Judge R David Proctor on 5/24/2016. (AVC) (Entered: 05/24/2016)
05/24/2016	<u>624</u>		RESPONSE to <u>615</u> Motion to Compel Production of Organizational Charts filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Burkhalter, Carl) (Entered: 05/24/2016)
05/26/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 5/26/2016; discovery updates; arguments by counsel on motions docs <u>611</u> and <u>615</u> ; hrg adj (Court Reporter Teresa Roberson.) (ASL) (Entered: 05/26/2016)
05/27/2016	<u>625</u>		DISCOVERY ORDER NO. 27 granting <u>615</u> Motion to Compel as set out in this order. Signed by Magistrate Judge T Michael Putnam on 5/27/2016.

		(KAM,) (Entered: 05/27/2016)
05/27/2016	<u>626</u>	Joint MOTION to Amend Discovery Order Nos. 1 and 3 by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 05/27/2016)
05/31/2016	627	TEXT ORDER re <u>610</u> Provider Plaintiffs' Motion to Compel Defendants National Account Service Company, LLC and Consortium Health Plans, Inc. to Produce Documents and Disclosures and to set the Time Period for NASCO and CHP's Production in the Accelerated Alabama Case. The court has been informed by the parties that the matter has been resolved and, accordingly, the motion is MOOT. Signed by Magistrate Judge T Michael Putnam on May 31, 2016. (AMP) (Entered: 05/31/2016)
05/31/2016	<u>628</u>	ORDER AMENDING DISCOVERY ORDER Nos. 1 AND 3– The parties Joint Motion to Amend Discovery Orders No. 1 and 3 <u>626</u> is GRANTED. Motions <u>607</u> and <u>609</u> are MOOT. This order supersedes the December 23, 2015 (Doc. <u>502</u>) and April 13, 2016 (Doc. <u>584</u>) orders amending Discovery Order No. 1. All other dates and provisions in Discovery Order No. 1 remain in place. Signed by Magistrate Judge T Michael Putnam on 5/31/2016. (AVC) (Entered: 05/31/2016)
05/31/2016	<u>629</u>	MOTION to Reconsider Discovery Order No. 26. <u>616</u> by Defendants' Counsel. (Campbell, Andrew) (Entered: 05/31/2016)
05/31/2016	<u>630</u>	MOTION for Extension of Time to File Objections Under Federal Rule of Civil Procedure 72, or, alternatively to Treat Their Motion for Reconsideration as a Rule 72 Objection by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Campbell, Andrew) (Entered: 05/31/2016)
06/01/2016	<u>631</u>	Transcript of Proceedings held on 5/26/2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number (205) 492–2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/22/2016. Redacted Transcript Deadline set for 7/4/2016. Release of Transcript Restriction set for 8/30/2016. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 06/01/2016)
06/01/2016	632	TEXT ORDER – This matter is before the court on Defendants' Motion for Extension of Time to File Objections Under Federal Rule of Civil Procedure 72, or, Alternatively, to Treat Their Motion for Reconsideration as a Rule 72 Objection. <u>630</u> . The Motion <u>630</u> is GRANTED IN PART . The deadline to object to Discovery Order No. 26 is EXTENDED until fourteen days after the Magistrate Judge's ruling on Defendants' Motion to Reconsider Discovery Order No. 26. <u>629</u> . Signed by Judge R David Proctor on 6/1/2016. (AVC)

			(Entered: 06/01/2016)
06/02/2016	<u>633</u>		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, June 30, 2016, at 12:30 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on June 2, 2016. (AMP) (Entered: 06/02/2016)
06/10/2016	<u>634</u>		NOTICE of Supplemental Response to <u>629</u> Motion to Reconsider Discovery Order No. 26. filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Campbell, Andrew) (Entered: 06/10/2016)
06/13/2016	<u>635</u>		Subscriber Plaintiffs' Report Concerning Filed Rate Discovery by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 06/13/2016)
06/16/2016	<u>636</u>		MOTION to Compel Plaintiffs to Produce Structured Data by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A–H)(Malatesta, John) (Entered: 06/16/2016)
06/16/2016	<u>637</u>		MOTION to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Structured Data Dating Between 1995 and 2004 by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order)(Whatley, Joe) (Entered: 06/16/2016)
06/16/2016	<u>638</u>		MOTION to Compel Defendant Capital Bluecross to Designate Former CEOs Anita Smith and William Lehr as Production Custodians and to Compel Production of Certain Documents by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 06/16/2016)
06/16/2016	<u>639</u>		***Document Sealed –Notice of Filing Exhibits Under Seal in Support of <u>636</u> Motion to Compel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H) (AVC) (Entered: 06/17/2016)
06/17/2016	<u>640</u>		CONDITIONAL TRANSFER ORDER (CTO–30) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> CTO–30 Schedule w/NDAL case number)(AVC) (Entered: 06/17/2016)
06/20/2016	<u>641</u>		AMENDMENT TO DISCOVERY ORDER No. 26–re: Motion to Reconsider Discovery Order No. 26 <u>629</u> . Discovery Order No. 26 is AMENDED as set out. In all other respects the motion to reconsider Discovery Order No. 26 is DENIED. Signed by Magistrate Judge T Michael Putnam on 6/20/2016. (AVC) (Entered: 06/20/2016)
06/22/2016	<u>642</u>		Joint MOTION to Modify Discovery Order and Briefing Schedule <u>533</u> by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Zott, David) (Entered: 06/22/2016)
06/22/2016	<u>643</u>		ORDER –The status conference previously set for 8/11/2016, is hereby RE–SET for 11/4/2016 at 9:30a.m., in Courtroom 7A of the Hugo L Black US Courthouse. By 10/28/2016, the parties SHALL submit a joint report

			containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 6/22/2016. (AVC) (Entered: 06/22/2016)
06/22/2016	<u>644</u>		ORDER–The Joint Motion to Modify the Court's January 22, 2016 Discovery Order and Briefing Schedule <u>642</u> is GRANTED. It is ORDERED that Consortium and NASCO will file any motions and their opening brief by 7/1/2016; Provider Plaintiffs will file any opposition papers by 8/8/2016; Consortium and NASCO will file any reply papers by 8/29/2016. Signed by Judge R David Proctor on 6/22/2016. (AVC) (Entered: 06/22/2016)
06/24/2016	<u>645</u>		MOTION for an Extension of the Deadline to File Motions To Quash by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 06/24/2016)
06/27/2016	<u>646</u>		RESPONSE to <u>645</u> Motion for Extension of the Deadline to File Motions To Quash filed by Defendants' Counsel. (Zott, David) (Entered: 06/27/2016)
06/27/2016	<u>647</u>		TEXT ORDER granting <u>645</u> Plaintiffs' Motion for an Extension of Time to File Motions to Quash. The plaintiffs shall have until and including June 30, 2016, to file Motions to Quash. Signed by Magistrate Judge T Michael Putnam on June 27, 2016. (AMP) (Entered: 06/27/2016)
06/27/2016	<u>648</u>		Opposition to <u>638</u> Motion to Compel Designation of Certain Custodians and Production of Certain Information From Capital BlueCross filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibits A through K (Discovery Correspondence))(Payne, Joshua) (Entered: 06/27/2016)
06/27/2016	<u>649</u>		Provider Plaintiffs' Response to <u>636</u> Motion to Compel Plaintiffs to Produce Structured Data filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 06/27/2016)
06/27/2016	<u>650</u>		RESPONSE to <u>637</u> Motion to Compel Production of Structured Data for the Period of 1995–2004 filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Burkhalter, Carl) (Entered: 06/27/2016)
06/29/2016	<u>651</u>		MOTION to Withdraw as Attorney by Triple S – Salud, Inc.. (Hernandez–Burgos, Carlos) (Entered: 06/29/2016)
06/29/2016	<u>652</u>		STATUS REPORT on Filed Rate Discovery by Blue Cross Blue Shield of Alabama by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Priester, James) (Entered: 06/29/2016)
06/29/2016	<u>653</u>		JOINT STATUS REPORT Regarding Post–2013 Discovery by Defendants' Counsel. (Burkhalter, Carl) (Entered: 06/29/2016)
06/30/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 6/30/2016; discovery updates; arguments by counsel on motions docs 637 and 638; hrg adj (Court Reporter Teresa Roberson.) (ASL) (Entered: 06/30/2016)
06/30/2016	<u>654</u>		Provider Plaintiffs' MOTION to Quash Subpoenas to Proposed Class Members by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Whatley, Joe) (Entered: 06/30/2016)

06/30/2016	<u>655</u>		NOTICE of Change of Address by Brian K Norman (Norman, Brian) (Entered: 06/30/2016)
06/30/2016	<u>656</u>		Subscriber Plaintiffs' MOTION to Quash Third Party Subpoenas by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 06/30/2016)
07/01/2016	<u>657</u>		Transcript of Proceedings held on 6/30/2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number (205) 492-2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/22/2016. Redacted Transcript Deadline set for 8/1/2016. Release of Transcript Restriction set for 9/29/2016. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 07/01/2016)
07/01/2016	<u>658</u>		MOTION for Summary Judgment <i>on Behalf of Defendants National Account Service Company LLC and Consortium Health Plans, Inc.</i> by Defendants' Counsel. (Attachments: # <u>1</u> Brief In Support Of Motion, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit 1 – 5/3/2016 30(b)(6) NASCO Deposition Redacted, # <u>4</u> Exhibit 5 – 5/25/2016 30(b)(6) CHP Deposition Redacted, # <u>5</u> Exhibit 7 – CHP Plans Ownership History, # <u>6</u> Exhibit 8 – CHP Capabilities Book (Pages i-35), # <u>7</u> Exhibit 9 – CHP Capabilities Book (Pages 36-40) Redacted, # <u>8</u> Exhibit 10 – CHP and BCBSA National Account Support Agreement, # <u>9</u> Exhibit 11 – CHP Certificate of Incorporation, # <u>10</u> Exhibit 16 – Gulf States v. Nucor Special Master Report)(Zott, David) (Entered: 07/01/2016)
07/01/2016	<u>659</u>		***Document Sealed–Notice of Filing Under Seal Certain Exhibits to National Account Service Company LLC and Consortium Health Plans, Inc. Motion for Summary Judgment <u>658</u> –Pursuant to Protective Order <u>550</u> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6 Part 1, # <u>7</u> Exhibit 6 Part 2, # <u>8</u> Exhibit 9, # <u>9</u> Exhibit 12, # <u>10</u> Exhibit 13, # <u>11</u> Exhibit 14, # <u>12</u> Exhibit 15) (AVC) (Entered: 07/01/2016)
07/01/2016	<u>660</u>		DISCOVERY ORDER No. 28–re: Motion to Compel Plaintiffs to Produce Structured Data <u>636</u> . Plaintiffs are DIRECTED to comply with the production schedule as set out. Signed by Magistrate Judge T Michael Putnam on 7/1/2016. (AVC) (Entered: 07/01/2016)
07/05/2016	<u>661</u>		DISCOVERY ORDER No. 29–The motion to compel Capital Blue Cross to designate Anita Smith and William Lehr as production custodians and to produce documents related to executive compensation <u>638</u> is GRANTED. Signed by Magistrate Judge T Michael Putnam on 7/5/2016. (AVC) (Entered: 07/05/2016)

07/05/2016	<u>662</u>	RESPONSE to <u>654</u> Motion to Quash Subpoenas to Proposed Class Members filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – 4/28/2016 Hearing Transcript, # <u>2</u> Exhibit 2 – Defendants' Subpoena to Samford University, # <u>3</u> Exhibit 3 – 3/31/2016 C. Cottrell Letter to B. Ragsdale, # <u>4</u> Exhibit 4 – 4/8/2016 C. Cottrell Letter to T. Brown, # <u>5</u> Exhibit 5 – 6/9/2016 C. Cottrell Letter to B. Ragsdale, # <u>6</u> Exhibit 6 – 6/10/2016 M. Jones Email to Counsel, # <u>7</u> Exhibit 7 – 6/14/2016 B. Ragsdale Letter to C. Cottrell, # <u>8</u> Exhibit 8 – 6/16/2016 B. Ragsdale Letter to C. Cottrell, # <u>9</u> Exhibit 9 – 6/24/2016 C. Cottrell Email to B. Ragsdale, # <u>10</u> Exhibit 10 – 4/13/2016 C. Cottrell Letter to T. Brown, # <u>11</u> Exhibit 11 – Defendants' Deposition Subpoena to Provider Plaintiffs, # <u>12</u> Exhibit 12 – Defendants' Request for Production to Subscriber Plaintiffs, # <u>13</u> Exhibit 13 – Defendants' Deposition Subpoena to Subscriber Plaintiffs, # <u>14</u> Exhibit 14 – Defendants' Request for Production to Provider Plaintiffs, # <u>15</u> Exhibit 15 – Plaintiffs' Request for Production to Milliman, Inc., # <u>16</u> Exhibit 16 – 6/3/2016 K. West Letter to B. Ragsdale, # <u>17</u> Exhibit 17 – 6/30/2016 Hearing Transcript, # <u>18</u> Exhibit 18 – Plaintiffs' Requests for Production to All Defendants)(Zott, David) (Entered: 07/05/2016)
07/05/2016	<u>663</u>	Rule 72 Objection to Discovery Order No. 26 <u>616</u> by Blue Defendants' Counsel. (Campbell, Andrew) (Entered: 07/05/2016)
07/06/2016	<u>664</u>	MOTION for Leave to File Under Seal by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 07/06/2016)
07/07/2016	<u>665</u>	ORDER REGARDING REVISED SEALING PROCEDURES–Plaintiffs' Motion for Leave to File Under Seal <u>664</u> is GRANTED. The parties shall comply with this order as further set out. Signed by Judge R David Proctor on 7/7/2016. (AVC) (Entered: 07/07/2016)
07/12/2016	<u>666</u>	BRIEFING SCHEDULE ON OBJECTION TO DISCOVERY ORDER NO. 26 <u>663</u> Rule 72 Objection to Discovery Order No. 26 <u>616</u> –Any response to the Objection SHALL be filed by 7/26/2016. Any reply in support of the Objection SHALL be filed by 8/2/2016. Signed by Judge R David Proctor on 7/12/2016. (AVC) (Entered: 07/12/2016)
07/14/2016	667	TEXT ORDER – This matter is SET for a telephone conference at 3:00 p.m. on Monday, August 8, 2016 , to discuss scheduling matters related to Defendants' Motion for Summary Judgment based on the Filed Rate Doctrine <u>523</u> . The Special Master will provide a call in number for the conference. Signed by Judge R David Proctor on 7/13/2016. (AVC) (Entered: 07/14/2016)
07/15/2016	<u>668</u>	Defendants' Supplemental Filing in Support of <u>663</u> Their Rule 72 Objection to Discovery Order No. 26 filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Plaintiffs' Letter to Perdido Beach Resort)(Zott, David) (Entered: 07/15/2016)
07/18/2016	669	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, July 28, 2016, at 2:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on July 18, 2016.

		(AMP) (Entered: 07/18/2016)
07/20/2016	<u>670</u>	MOTION to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Post–2013 Unstructured Data by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Whatley, Joe) (Entered: 07/20/2016)
07/22/2016	<u>671</u>	CONDITIONAL TRANSFER ORDER (CTO–31) from Judicial Panel on MDL 2406 transferring 1 action to the Northern District of Alabama. (Attachments: # <u>1</u> CTO–31 Schedule with NDAL case number)(AVC) (Entered: 07/22/2016)
07/25/2016	<u>672</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2016 through June 30, 2016. Signed by Judge R David Proctor on 7/25/2016. (AVC) (Entered: 07/25/2016)
07/25/2016	<u>673</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2016 through June 30, 2016. Signed by Judge R David Proctor on 7/25/2016. (AVC) (Entered: 07/25/2016)
07/26/2016	<u>674</u>	DISCOVERY ORDER No. 30–The Motion to Compel <u>637</u> is GRANTED IN PART with respect to structured data created after January 1, 2000 and BCBS–AL is DIRECTED to produce such data within sixty (60) days. The motion to compel is otherwise DENIED. Signed by Magistrate Judge T Michael Putnam on 7/26/2016. (AVC) (Entered: 07/26/2016)
07/26/2016	<u>675</u>	Provider Plaintiffs' RESPONSE in Opposition to <u>663</u> Rule 72 Objection to Discovery Order No. 26 filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 07/26/2016)
07/26/2016	<u>676</u>	Subscriber Plaintiffs' Opposition to <u>663</u> Rule 72 Objection to Discovery Order No. 26 filed by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 07/26/2016)
07/26/2016	<u>677</u>	Blue Cross and Blue Shield of Alabama's RESPONSE to <u>670</u> Motion to Compel Post–2013 Unstructured Data filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 07/26/2016)
07/28/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 7/28/2016; discovery updates; arguments by counsel on motions docs 611, 654, 656 & 670; hrg adj. (Court Reporter Teresa Roberson.) (ASL) (Entered: 07/28/2016)
07/29/2016	<u>678</u>	ORDER–Pursuant to discussions held during the 7/28/2016 conference, it is ORDERED that by 8/8/2016, the pltf's and dft BCBS–AL shall submit a joint status report regarding post–2013 discovery. By 8/3/2016, the parties shall notify all subpoenaed non–parties that any objections to the subpoenas must be filed with the court by 8/10/2016 and that arguments on the objections will be heard by the court on 8/17/2016 at 1:00p.m., in Courtroom 3B of the Hugo L. Black U.S. Courthouse. The parties are directed to certify to the court by 8/5/2016, that notification of all subpoenaed nonparties of the objection deadline has occurred. By 8/10/2016, the parties shall submit a joint proposal

		of language to be included with any future nonparty subpoenas. A hearing regarding filed-rate discovery is set for 8/17/2016 at 9:00a.m., in Courtroom 3B of the Hugo L Black US Courthouse. The parties submit simultaneous briefs regarding filed-rate discovery by 8/8/2016. Responses are due by 8/15/2016. Signed by Magistrate Judge T Michael Putnam on 7/29/2016. (AVC) (Entered: 07/29/2016)
08/01/2016	<u>679</u>	Transcript of Proceedings held on 7/28/2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number (205) 492-2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/22/2016. Redacted Transcript Deadline set for 9/1/2016. Release of Transcript Restriction set for 10/31/2016. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 08/01/2016)
08/02/2016	680	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Wednesday, August 17, 2016, at 3:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2. of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on August 2, 2016. (AMP) (Entered: 08/02/2016)
08/02/2016	<u>681</u>	REPLY in Support of <u>663</u> Defendants' Rule 72 Objection to Discovery Order No. 26 filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Campbell, Andrew) (Entered: 08/02/2016)
08/05/2016	<u>682</u>	Supplemental Filing Regarding Notice of Objections. (Attachments: # <u>1</u> Exhibit 1 – Defendants' Notices to Subpoena Targets re Objection Schedule)(Cottrell, Christa) (Entered: 08/05/2016)
08/05/2016	<u>683</u>	Subscriber Plaintiffs' MOTION for an Order to Show Cause by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 08/05/2016)
08/05/2016	<u>684</u>	Brief in Support of <u>683</u> Subscriber Plaintiffs' Motion for an Order to Show Cause. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3 (filed under seal), # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9 (filed under seal), # <u>10</u> Exhibit 10 (filed under seal), # <u>11</u> Exhibit 11 (filed under seal), # <u>12</u> Exhibit 12 (filed under seal), # <u>13</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 08/05/2016)
08/05/2016	<u>685</u>	***Document Sealed –Subscriber Plaintiffs' Notice of Filing Under Seal Exhibits to Memorandum in Support of Subscriber Plaintiffs' Motion for an Order to Show Cause. (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Exhibit 9, # <u>3</u> Exhibit 10, # <u>4</u> Exhibit 11, # <u>5</u> Exhibit 12) (AVC) (Entered: 08/08/2016)

08/08/2016			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 8/8/2016. (Court Reporter Leah Turner.) (KLL) (Entered: 08/08/2016)
08/08/2016	<u>686</u>		JOINT STATUS REPORT Regarding Post–2013 Discovery by Plaintiffs' Counsel. (Brown, W) (Entered: 08/08/2016)
08/08/2016	<u>687</u>		Subscriber Plaintiffs' STATUS REPORT on Filed Rate Discovery by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 08/08/2016)
08/08/2016	<u>688</u>		Blue Cross Blue Shield of Alabama's STATUS REPORT on Filed Rate Discovery by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 08/08/2016)
08/08/2016	<u>689</u>		***Document Sealed –Brief in Opposition to <u>658</u> Defendants National Account Service Company LLC and Consortium Health Plans, Inc.'s Motion for Summary Judgment. (Attachments: # <u>1</u> Notice, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit 1 Part 1, # <u>4</u> Exhibit 1 Part 2, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4 Part 1, # <u>8</u> Exhibit 4 Part 2, # <u>9</u> Exhibit 4 Part 3, # <u>10</u> Exhibit 4 Part 4, # <u>11</u> Exhibit 4 Part 5, # <u>12</u> Exhibit 4 Part 6, # <u>13</u> Exhibit 4 Part 7, # <u>14</u> Exhibit 4 Part 8, # <u>15</u> Exhibit 4 Part 9, # <u>16</u> Exhibit 4 Part 10, # <u>17</u> Exhibit 4 Part 11, # <u>18</u> Exhibit 4 Part 12, # <u>19</u> Exhibit 4 Part 13, # <u>20</u> Exhibit 4 Part 14, # <u>21</u> Exhibit 4 Part 15, # <u>22</u> Exhibit 4 Part 16, # <u>23</u> Exhibit 4 Part 17, # <u>24</u> Exhibit 4 Part 18, # <u>25</u> Exhibit 4 Part 19, # <u>26</u> Exhibit 4 Part 20, # <u>27</u> Exhibit 5, # <u>28</u> Exhibit 6, # <u>29</u> Exhibit 7, # <u>30</u> Exhibit 8, # <u>31</u> Exhibit 9, # <u>32</u> Exhibit 10, # <u>33</u> Exhibit 11 Part 1, # <u>34</u> Exhibit 11 Part 2, # <u>35</u> Exhibit 12, # <u>36</u> Exhibit 13, # <u>37</u> Exhibit 14, # <u>38</u> Exhibit 15, # <u>39</u> Exhibit 16, # <u>40</u> Exhibit 17, # <u>41</u> Exhibit 18, # <u>42</u> Exhibit 19, # <u>43</u> Exhibit 20, # <u>44</u> Exhibit 21, # <u>45</u> Exhibit 22, # <u>46</u> Exhibit 23, # <u>47</u> Exhibit 24 Part 1, # <u>48</u> Exhibit 24 Part 2, # <u>49</u> Exhibit 25, # <u>50</u> Exhibit 26, # <u>51</u> Exhibit 27, # <u>52</u> Exhibit 28, # <u>53</u> Exhibit 29, # <u>54</u> Exhibit 30, # <u>55</u> Exhibit 31, # <u>56</u> Exhibit 32, # <u>57</u> Exhibit 33, # <u>58</u> Exhibit 34, # <u>59</u> Exhibit 35, # <u>60</u> Exhibit 36) (AVC) (Entered: 08/09/2016)
08/10/2016	<u>690</u>		ORDER REGARDING VARIOUS MATTERS AND BRIEFING SCHEDULE ON FILED RATE MOTION– Because BCBSAL anticipates filing a revised Motion on the filed rate doctrine, Motion <u>523</u> is terminated. The briefing scheduling set out SHALL apply to BCBSAL's revised Motion for Partial Summary Judgment on the filed rate doctrine. This case is SET for a status conference and hearing on 11/29/2016 at 9:30a.m. in Courtroom 7A of the Hugo L. Black U.S. Courthouse. On 11/18/2016, the parties SHALL submit a joint report containing a proposed agenda of any additional items the parties wish to be addressed during the 11/29/2016 status conference and hearing. Signed by Judge R David Proctor on 8/9/2016. (AVC) (Entered: 08/10/2016)
08/10/2016	691		TEXT ORDER – In light of the court's Order setting a status conference and hearing for November 29, 2016 <u>690</u> , the status conference previously set for November 4, 2016 is CANCELED . Signed by Judge R David Proctor on 8/10/2016. (AVC) (Entered: 08/10/2016)
08/10/2016	<u>692</u>		OBJECTION to <u>678</u> Subpoena filed by Grandview Medical Center. (Attachments: # <u>1</u> Affidavit of Jane Northcutt)(Mays, Joseph) (Entered: 08/10/2016)

08/10/2016	<u>693</u>		Non-Party Objections and Motion to Quash Subpoenas by Health Care Authority of the City of Huntsville. (Kelly, Jeffrey) (Entered: 08/10/2016)
08/10/2016	<u>694</u>		Brief in Support of <u>693</u> Objections and Motion to Quash Subpoenas by Health Care Authority of the City of Huntsville. (Kelly, Jeffrey) (Entered: 08/10/2016)
08/10/2016	<u>695</u>		Non-Party Objections and Motion to Quash Subpoenas by Russellville Hospital, Inc. (Kelly, Jeffrey) (Entered: 08/10/2016)
08/10/2016	<u>696</u>		JOINT Filing Regarding Proposed Language for Letters Accompanying Future Subpoenas to Potential Absent Class Members re: Order <u>678</u> . (Cottrell, Christa) (Entered: 08/10/2016)
08/10/2016	<u>697</u>		OBJECTIONS of Non-Party to Subpoena by Regions Bank. (Pennington, James) (Entered: 08/10/2016)
08/10/2016	<u>698</u>		OBJECTION and Motion to Quash Subpoenas by Andrews Sports Medicine and Orthopaedic Center, LLC. (Attachments: # <u>1</u> Exhibit Document Subpoena, # <u>2</u> Exhibit Deposition Subpoena, # <u>3</u> Affidavit Declaration of L Warren)(Wilson, Benjamin) (Entered: 08/10/2016)
08/10/2016	<u>699</u>		Brief in Support of Objection and Motion to Quash <u>698</u> filed by Andrews Sports Medicine and Orthopaedic Center, LLC. (Wilson, Benjamin) (Entered: 08/10/2016)
08/10/2016	<u>700</u>		Opposition to Subpoenas Duces Tecum and Subpoena to Testify at a Rule 30(b)(6) Deposition filed by John B. Waits. (Attachments: # <u>1</u> Affidavit of Dr. Waits)(Brown, W) (Entered: 08/10/2016)
08/11/2016	<u>701</u>		JOINT STATUS REPORT Regarding Post-2013 Discovery by Plaintiffs' Counsel. (Brown, W) (Entered: 08/11/2016)
08/15/2016	<u>702</u>		Transcript of Proceedings held on 8/8/2016, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/5/2016. Redacted Transcript Deadline set for 9/15/2016. Release of Transcript Restriction set for 11/14/2016. (AVC) (Entered: 08/15/2016)
08/15/2016	<u>703</u>		REPLY to Response to Motion re <u>656</u> Subscriber Plaintiffs' MOTION to Quash Third Party Subpoenas, <u>654</u> Provider Plaintiffs' MOTION to Quash Subpoenas to Proposed Class Members filed by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 08/15/2016)
08/15/2016	<u>704</u>		RESPONSE to <u>687</u> Subscriber Plaintiffs' Status Report on Filed Rate Discovery filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit

		A–J)(Burkhalter, Carl) Modified on 8/17/2016 – sealed pursuant to text order # 711 (ASL). (Entered: 08/15/2016)
08/15/2016	<u>705</u>	CONSOLIDATED RESPONSE to Potential Class Member Subpoena Targets' Objections <u>692</u> , <u>693</u> , <u>694</u> , <u>695</u> , <u>698</u> , <u>699</u> , <u>700</u> Potential Class Member Subpoena Targets' Objections filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Plaintiffs' Letters to Subpoena Targets, # <u>2</u> Exhibit 2 – Subpoena Target Letter to Defendants, # <u>3</u> Exhibit 3 – Request for Production Subpoena Excerpt)(Zott, David) (Entered: 08/15/2016)
08/16/2016	<u>706</u>	***Document Sealed–Notice of Filing Under Seal Exhibits A–J to <u>704</u> Response to Subscriber Plaintiffs' Status Report on Filed Rate Discovery. (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J) (AVC) (Entered: 08/16/2016)
08/16/2016	<u>707</u>	CONSOLIDATED RESPONSE to Potential Class Member Subpoena Targets' Objections <u>692</u> , <u>693</u> , <u>694</u> , <u>695</u> , <u>699</u> , <u>700</u> . (Attachments: # <u>1</u> Exhibit 1 – Plaintiffs' Letters to Subpoena Targets, # <u>2</u> Exhibit 2 – Subpoena Target Letter to Defendants, # <u>3</u> Exhibit 3 – Request for Production Subpoena Excerpt)(Zott, David) (Entered: 08/16/2016)
08/16/2016	<u>708</u>	RESPONSE to re <u>707</u> <i>Non–Party Subpoena</i> filed by Grandview Medical Center. (Mays, Joseph) (Entered: 08/16/2016)
08/17/2016	<u>709</u>	RESPONSE to Discovery Request from Regions Bank by Regions Bank.(Pennington, James) (Entered: 08/17/2016)
08/17/2016	<u>710</u>	NOTICE of Appearance by George E Knox, Jr on behalf of Health Care Authority of the City of Huntsville, Russellville Hospital, Inc. (Knox, George) (Entered: 08/17/2016)
08/17/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Hearing held on 8/17/2016; re Filed–Rate Discovery; hrg adj. (Court Reporter Sabrina Lewis.) (ASL) (Entered: 08/17/2016)
08/17/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 8/17/2016: re <u>654</u> , <u>656</u> , <u>692</u> , <u>693</u> , <u>695</u> , <u>697</u> , <u>698</u> , <u>700</u> ; arguments by counsel; hrg adj (Court Reporter Sabrina Lewis) (ASL) (Entered: 08/17/2016)
08/17/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 8/17/2016; discovery updates by counsel; oral motion to seal document number <u>704</u> , granted subject to Judge Proctor's decision on related issues; hrg adj. (Court Reporter Sabrina Lewis.) (ASL) (Entered: 08/17/2016)
08/17/2016	711	TEXT ORDER. Oral motion in open court to seal document number <u>704</u> is GRANTED subject to Judge Proctor's decision on related issues. Signed by Magistrate Judge T Michael Putnam on 8/17/16. (ASL) (Entered: 08/17/2016)
08/18/2016	712	TEXT ORDER. Pursuant to direction in the Discovery Status Conference held on August 17, 2016, the Subscriber Plaintiffs and defendant Blue Cross Blue Shield of Alabama shall have until Wednesday, August 24, 2016, to file simultaneous briefs addressing 1) whether the issue of the production of the

			Carden variance analysis is properly before the court, and 2)if so, whether the Carden analysis constitutes attorney work product. Response or reply briefs will not be accepted. Signed by Magistrate Judge T Michael Putnam on August 18, 2016. (AMP,) (Entered: 08/18/2016)
08/19/2016	<u>713</u>		DISCOVERY ORDER No. 31. Signed by Magistrate Judge T Michael Putnam on 8/19/2016. (AVC) (Entered: 08/19/2016)
08/19/2016	<u>714</u>		OBJECTIONS and Motion to Quash Subpoena by Hometown Health Providers Insurance Company, Inc. (Attachments: # <u>1</u> Exhibit A-1, # <u>2</u> Exhibit A-2, # <u>3</u> Exhibit 3)(Brown, Jeffrey) (Entered: 08/19/2016)
08/22/2016	<u>715</u>		DISCOVERY ORDER NO. 32. Signed by Magistrate Judge T Michael Putnam on 8/22/2016. (AVC) (Entered: 08/22/2016)
08/23/2016	716		TEXT ORDER – This matter is before the court on the correspondence from the parties pursuant to the court's Order Regarding Revised Sealing Procedures <u>665</u> . In light of that correspondence, the Clerk of the Court is directed to unseal the following exhibits to Document 689: Notice (689-1), Exhibit Index (689-2), 2 (689-5), 5 (689-27), 10 (689-32), 11 (689-33 and 689-34), 12 (689-35), 14 (689-37), 15 (689-38), 16 (689-39), 17 (689-40), 18 (689-41), 19 (689-42), 20 (689-43), 22, (689-45), 25 (689-49) 26 (689-50) 27 (689-51) 28 (689-52) 29 (689-53), 31 (689-55), 34 (689-58), and 35 (689-59). This exercise has revealed that the court was correct that more documents than necessary were being requested to be sealed by the parties. Additionally, the parties SHALL undertake to further reduce the number of documents being sealed by, where possible, redacting unnecessary parts of the documents prior to filing rather than asking that the whole document be sealed. Signed by Judge R David Proctor on 8/23/2016. (AVC) (Entered: 08/23/2016)
08/23/2016	<u>717</u>		National Account Service Company LLC and Consortium Health Plans, Inc.'s Unopposed MOTION for Leave to File Joint Reply Brief in Excess of Ten Pages by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Zott, David) (Entered: 08/23/2016)
08/24/2016	718		TEXT ORDER –This matter is before the court on Defendants National Account Service Company LLC and Consortium Health Plans, Inc.s Unopposed Motion For Leave to File Joint Reply Brief in Excess of Ten Pages <u>717</u> . The Motion <u>717</u> is GRANTED . The reply brief from Defendants NASCO and CHP may contain up to 25 pages. Signed by Judge R David Proctor on 8/24/2016. (AVC) (Entered: 08/24/2016)
08/24/2016	<u>719</u>		MOTION to Unseal Document by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 08/24/2016)
08/24/2016	720		TEXT ORDER re <u>714</u> Non-Party Hometown Health Providers Insurance Company, Inc.'s Objections and Motion to Quash Subpoena. A response by provider plaintiffs may be filed within 7 days of this Order and shall be no more than 15 pages in length. Signed by Magistrate Judge T Michael Putnam on August 24, 2016. (AMP) (Entered: 08/24/2016)
08/24/2016	<u>721</u>		MOTION for a Two-Day Extension by Defendants' Counsel. (Burkhalter, Carl) (Entered: 08/24/2016)

08/24/2016	<u>722</u>	***Document Sealed–Notice of Filing Under Seal Deposition to <u>719</u> Motion to Unseal. (Attachments: # <u>1</u> Deposition) (AVC) (Entered: 08/24/2016)
08/24/2016	723	TEXT ORDER granting <u>721</u> Defendant Blue Cross and Blue Shield of Alabama's Motion for Two–Day Extension. The Subscriber Plaintiffs and defendant Blue Cross and Blue Shield of Alabama shall have until Friday, August 26, 2016, to file simultaneous briefs as directed by Text Order 712 . Signed by Magistrate Judge T Michael Putnam on August 24, 2016. (AMP) (Entered: 08/24/2016)
08/25/2016	724	TEXT ORDER –The court has become aware that the schedule and process regarding maintaining documents under seal is somewhat unclear. The court does not contemplate that extensive briefing should be necessary on whether to maintain documents under seal. The court merely needs to determine whether there is a basis for maintaining documents under seal separate from any agreement between the parties. Also, because the parties must now meet and confer regarding filing documents under seal, the court contemplates that a response should be possible within the time frame designated for seeking to maintain documents under seal: three days. Signed by Judge R David Proctor on 8/25/2016. (AVC) (Entered: 08/25/2016)
08/26/2016	<u>725</u>	Subscriber Plaintiffs' Memorandum Seeking Complete Production of Defendant's Internal Variance Documents. (Attachments: # <u>1</u> Text of Proposed Order)(Hellums, Christopher) (Entered: 08/26/2016)
08/26/2016	<u>726</u>	Transcript of Proceedings held on August 17, 2016 9:00 am, before Judge T Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205)278–2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/16/2016. Redacted Transcript Deadline set for 9/26/2016. Release of Transcript Restriction set for 11/24/2016. (MRR,) (Entered: 08/26/2016)
08/26/2016	<u>727</u>	Transcript of Proceedings held on August 17, 2016 1:00 pm and 3:00 pm, before Judge T Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278–2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction

		Request due 9/16/2016. Redacted Transcript Deadline set for 9/26/2016. Release of Transcript Restriction set for 11/24/2016. (MRR,) (Entered: 08/26/2016)
08/26/2016	<u>728</u>	Brief re 712 Order,, <i>Blue Cross Blue Shield of Alabama's Brief in Response to August 18, 2016 Order</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Burkhalter, Carl) (Entered: 08/26/2016)
08/26/2016	<u>729</u>	***Document Sealed –Notice of Filing Under Seal Exhibits in Support of Brief <u>725</u> . (Attachments: # <u>1</u> Deposition Part 1, # <u>2</u> Deposition Part 2, # <u>3</u> Response to Subscriber Plaintiffs' Status Report, # <u>4</u> Request for Production, # <u>5</u> Notice of Deposition, # <u>6</u> Letter, # <u>7</u> Deposition Part 1, # <u>8</u> Deposition Part 2, # <u>9</u> Deposition Part 3, # <u>10</u> Objection) (AVC) (Entered: 08/29/2016)
08/29/2016	<u>730</u>	NOTICE of Filing Corrected Exhibit re: <u>728</u> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 08/29/2016)
08/29/2016	<u>731</u>	REPLY Brief in Support of <u>658</u> Motion for Summary Judgment filed by Defendants' Counsel. (Zott, David) (Entered: 08/29/2016)
08/29/2016	<u>732</u>	REPLY Brief filed by Defendant Defendants' Counsel re: <u>719</u> MOTION to Unseal Document filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – Part 1 of 3, # <u>2</u> Exhibit A – Part 2 of 3, # <u>3</u> Exhibit A – Part 3 of 3, # <u>4</u> Exhibit B)(Burkhalter, Carl) (Entered: 08/29/2016)
08/29/2016	<u>733</u>	AMENDED and RESTATED MOTION Based on Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims by Defendants' Counsel. (Priester, James) (Entered: 08/29/2016)
08/29/2016	<u>734</u>	JOINT Brief in Support of <u>733</u> Amended and Restated Motion Based on the Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims filed by Defendants' Counsel. (Priester, James) (Entered: 08/29/2016)
08/29/2016	<u>735</u>	Evidentiary Materials re: <u>734</u> Joint Brief in Support of Amended and Restated Motion Based on Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims. (Priester, James) (Entered: 08/29/2016)
08/30/2016	<u>736</u>	SECOND AMENDED RESPONSE to Subpoena by Blue Cross Blue Shield Association by Regions Bank.(Pennington, James) (Entered: 08/30/2016)
08/30/2016	<u>737</u>	***Document Sealed–Blue Cross and Blue Shield of Alabama's Opposition to <u>719</u> Subscriber Plaintiffs' Motion to Unseal Alabama Department of Insurance Deposition Transcript. (Attachments: # <u>1</u> DX–1, # <u>2</u> DX–2, # <u>3</u> DX–3, # <u>4</u> Exhibit A–Deposition, # <u>5</u> Exhibit A–PX–1, # <u>6</u> Exhibit A–PX–2, # <u>7</u> Exhibit A–PX–3, # <u>8</u> Exhibit A–PX–4, # <u>9</u> Exhibit A–PX–5, # <u>10</u> Exhibit A–PX–6, # <u>11</u> Exhibit A–PX–7, # <u>12</u> Exhibit A–PX–8, # <u>13</u> Exhibit A–PX–9, # <u>14</u> Exhibit A–PX–10, # <u>15</u> Exhibit A–PX–11, # <u>16</u> Exhibit A–PX–12, # <u>17</u> Exhibit A–PX–13, # <u>18</u> Exhibit A–PX–14, # <u>19</u> Exhibit A–PX–15, # <u>20</u> Exhibit A–PX–16, # <u>21</u> Exhibit A–PX–17, # <u>22</u> Exhibit A–PX–18, # <u>23</u> Exhibit A–PX–19, # <u>24</u> Exhibit A–PX–20, # <u>25</u> Exhibit A–PX–21, # <u>26</u> Exhibit A–PX–22, # <u>27</u> Exhibit A–PX–23A, # <u>28</u> Exhibit A–PX–23B, # <u>29</u> Exhibit A–PX–23C, # <u>30</u> Exhibit B) (AVC)

		(Entered: 08/31/2016)
08/30/2016	<u>738</u>	***Document Sealed–Joint Brief in Support of Amended and Restated Motion Based on the Filed Rate Doctrine for Summary Judgment on the Alabama Subscriber's Damages Claims. (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Declaration, # <u>3</u> Exhibit A1, # <u>4</u> Exhibit A2, # <u>5</u> Exhibit A3, # <u>6</u> Exhibit A4, # <u>7</u> Exhibit A5, # <u>8</u> Exhibit A6, # <u>9</u> Exhibit A7, # <u>10</u> Exhibit A8, # <u>11</u> Exhibit A9, # <u>12</u> Exhibit A10, # <u>13</u> Exhibit A11, # <u>14</u> Exhibit A12, # <u>15</u> Exhibit A13, # <u>16</u> Exhibit A14, # <u>17</u> Exhibit A15, # <u>18</u> Exhibit A16, # <u>19</u> Exhibit A17, # <u>20</u> Exhibit A18, # <u>21</u> Exhibit A19, # <u>22</u> Exhibit A20, # <u>23</u> Exhibit A21, # <u>24</u> Exhibit A22, # <u>25</u> Exhibit A23, # <u>26</u> Exhibit A24, # <u>27</u> Exhibit A25, # <u>28</u> Exhibit A26, # <u>29</u> Exhibit A27, # <u>30</u> Exhibit A28, # <u>31</u> Exhibit A29, # <u>32</u> Exhibit A30, # <u>33</u> Exhibit A31, # <u>34</u> Exhibit A32, # <u>35</u> Exhibit A33, # <u>36</u> Exhibit A34, # <u>37</u> Exhibit A35, # <u>38</u> Exhibit A36, # <u>39</u> Exhibit A37, # <u>40</u> Exhibit A38, # <u>41</u> Exhibit A39, # <u>42</u> Exhibit A40, # <u>43</u> Exhibit A41, # <u>44</u> Exhibit A42, # <u>45</u> Exhibit A43, # <u>46</u> Exhibit A44, # <u>47</u> Exhibit A45, # <u>48</u> Exhibit A46, # <u>49</u> Exhibit A47, # <u>50</u> Exhibit A48, # <u>51</u> Exhibit A49, # <u>52</u> Exhibit A50, # <u>53</u> Exhibit A51, # <u>54</u> Exhibit A52, # <u>55</u> Exhibit A53, # <u>56</u> Exhibit A54, # <u>57</u> Exhibit A55, # <u>58</u> Exhibit B Deposition, # <u>59</u> Exhibit B–DX–1, # <u>60</u> Exhibit B–DX–2, # <u>61</u> Exhibit B–DX–3, # <u>62</u> Exhibit B–PX–1, # <u>63</u> Exhibit B–PX–2, # <u>64</u> Exhibit B–PX–3, # <u>65</u> Exhibit B–PX–4, # <u>66</u> Exhibit B–PX–5, # <u>67</u> Exhibit B–PX–6, # <u>68</u> Exhibit B–PX–7, # <u>69</u> Exhibit B–PX–8, # <u>70</u> Exhibit B–PX–9, # <u>71</u> Exhibit B–PX–10, # <u>72</u> Exhibit B–PX–11, # <u>73</u> Exhibit B–PX–12, # <u>74</u> Exhibit B–PX–13, # <u>75</u> Exhibit B–PX–14, # <u>76</u> Exhibit B–PX–15, # <u>77</u> Exhibit B–PX–16, # <u>78</u> Exhibit B–PX–17, # <u>79</u> Exhibit B–PX–18, # <u>80</u> Exhibit B–PX–19, # <u>81</u> Exhibit B–PX–20, # <u>82</u> Exhibit B–PX–21, # <u>83</u> Exhibit B–PX–22, # <u>84</u> Errata B–PX–23A, # <u>85</u> Exhibit B–PX–23B, # <u>86</u> Exhibit B–PX–23C, # <u>87</u> Exhibit C) (AVC) (Entered: 08/31/2016)
08/31/2016	<u>739</u>	STIPULATION and Notice of Withdrawal of Motion to Quash Subpoena Issued by Provider Plaintiffs by Hometown Health Providers Insurance Company, Inc. (Brown, Jeffrey) (Entered: 08/31/2016)
08/31/2016	<u>740</u>	NOTICE of Supplemental Filing in Support of <u>725</u> Brief Seeking Complete Production of Defendant's Internal Variance Documents filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 7A, # <u>2</u> Exhibit 7B, # <u>3</u> Exhibit 7C)(Ragsdale, Barry) (Entered: 08/31/2016)
09/02/2016	<u>741</u>	TEXT ORDER –On September 1, 2016, the court conducted a conference call in this matter. As a result of matters discussed in the conference call, it is ORDERED as follows: Plaintiffs and Defendants will meet and confer about modifying the timeframes provided in the courts Order Regarding Revised Sealing Procedures <u>665</u> for conferring about documents filed under seal, sending the court justifications for filing a document under seal, and raising objections to a document that has been filed under seal. By September 8, 2016 , Plaintiffs and Defendants SHALL file a joint written status report regarding the proposed timeframes for future filings under seal. Signed by Judge R David Proctor on 9/2/2016. (AVC) (Entered: 09/02/2016)
09/02/2016	<u>742</u>	STATUS REPORT by Grandview Medical Center. (Mays, Joseph) (Entered: 09/02/2016)
09/02/2016	<u>743</u>	

			JOINT MOTION to Amend Discovery Order No. 32 by Blue Cross Blue Shield Antitrust Litigation MDL 2406. (Malatesta, John) (Entered: 09/02/2016)
09/02/2016	<u>744</u>		REPORT of Non-Parties Regarding Discovery Order No. 31 by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc. (Kelly, Jeffrey) (Entered: 09/02/2016)
09/02/2016	<u>745</u>		REPORT of Non-Party Regarding Discovery Order 31 by Andrews Sports Medicine and Orthopaedic Center, LLC. (Wilson, Benjamin) (Entered: 09/02/2016)
09/02/2016	<u>746</u>		REPORT of Non-Parties Regarding Discovery Order No. 31 by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc. (Attachments: # <u>1</u> Exhibit Affidavit of Joe W. Campbell)(Kelly, Jeffrey) (Entered: 09/02/2016)
09/02/2016	<u>747</u>		REPORT of Non-Party Pursuant to Discovery Order 31 by Regions Bank. (Pennington, James) (Entered: 09/02/2016)
09/06/2016	748		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Wednesday, September 28, 2016, at 9:00 AM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2. of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on September 6, 2016. (AMP) (Entered: 09/06/2016)
09/06/2016	<u>749</u>		ORDER AMENDING DISCOVERY ORDER NO. 32-The undersigned hereby GRANTS the parties' Joint Motion to Amend Discovery Order No. 32. <u>743</u> . Signed by Magistrate Judge T Michael Putnam on 9/6/2016. (AVC) (Entered: 09/06/2016)
09/06/2016	<u>750</u>		SUPPLEMENTAL RESPONSE to Plaintiffs' and Objecting Providers' Motions to Quash filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 09/06/2016)
09/07/2016	<u>751</u>		REPLY to <u>692</u> , <u>750</u> Supplemental Response to Plaintiffs' and Objecting Providers' Motions to Quash filed by Grandview Medical Center. (Mays, Joseph) (Entered: 09/07/2016)
09/08/2016	<u>752</u>		REPLY to Supplemental Response to Motions to Quash filed by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc.. (Kelly, Jeffrey) (Entered: 09/08/2016)
09/08/2016	<u>753</u>		Joint MOTION to Enter Stipulated Order Regarding Preservation of Personal Jurisdiction and Venue Defenses by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 09/08/2016)
09/08/2016	<u>754</u>		JOINT STATUS REPORT Regarding Revised Procedures for Filing Documents Under Seal by Defendants' Counsel.(Attachments: # <u>1</u> Text of Proposed Order)(Cottrell, Christa) (Entered: 09/08/2016)
09/09/2016	<u>755</u>		STIPULATED ORDER REGARDING PRESERVATION OF PERSONAL JURISDICTION AND VENUE DEFENSES granting Motion <u>753</u> . Signed by Judge R David Proctor on 9/9/2016. (AVC) (Entered: 09/09/2016)

09/09/2016	<u>756</u>		DISCOVERY ORDER No. 33. Signed by Magistrate Judge T Michael Putnam on 9/9/2016. (AVC) (Entered: 09/09/2016)
09/13/2016	<u>757</u>		ORDER REGARDING UPCOMING SETTINGS–This case is SET for a party caucuses and a hearing at 1:30p.m. on 9/27/2016 in Courtroom 7A. At the hearing, the court will hear argument regarding Dfts' Objections to Discovery Order No. 26 <u>663</u> . The court's August 10, 2016 Order setting a status conference for 9:30a.m. on 11/29/2016 <u>690</u> , is AMENDED as set out. A further status conference is hereby SET for 9:00a.m. on 12/20/2016, in Courtroom 7A. This status conference will consist of day one of Economic Presentations by the parties. Signed by Judge R David Proctor on 9/13/2016. (AVC) (Entered: 09/13/2016)
09/14/2016	<u>758</u>		ORDER REVISING SEALING PROCEDURES. Signed by Judge R David Proctor on 9/14/2016. (AVC) (Entered: 09/14/2016)
09/14/2016	<u>759</u>		Subscriber Plaintiffs' STATUS REPORT and Proposal Regarding Procedures for BCBSAL–Related Documents Filed Under Seal by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 09/14/2016)
09/15/2016	<u>760</u>		BCBSAL's Response to <u>759</u> Subscriber Plaintiffs' Status Report and Proposal, and Motion for Leave to File Limited, Additional Briefing filed by Defendants' Counsel. (Burkhalter, Carl) (Entered: 09/15/2016)
09/16/2016	<u>761</u>		ORDER REGARDING SEALED PAPERS RELATED TO BLUE CROSS BLUE SHIELD OF ALABAMA. Signed by Judge R David Proctor on 9/16/2016. (AVC) (Entered: 09/16/2016)
09/20/2016	<u>762</u>		Supplemental Rule 72 Objection filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 09/20/2016)
09/22/2016	<u>763</u>		Subscriber Plaintiffs' Rule 72 Objections to Discovery Order No. 33 by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/22/2016)
09/22/2016	<u>764</u>		CERTIFICATE OF SERVICE for doc# <u>763</u> by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/22/2016)
09/23/2016	<u>765</u>		Subscriber Plaintiffs' Consent Motion for Leave to Exceed Page Limits by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 09/23/2016)
09/23/2016	766		TEXT ORDER –This matter is before the court on the Alabama Subscriber Plaintiffs' Consent Motion for Leave to Exceed Page Limit. <u>765</u> The Motion <u>765</u> is GRANTED . Plaintiffs Consolidated Memorandum of Law may contain up to forty–five (45) pages. Defendants reply brief may contain up to twenty (20) pages. Signed by Judge R David Proctor on 9/23/2016. (AVC) (Entered: 09/23/2016)
09/23/2016	<u>767</u>		RESPONSE to <u>663</u> Rule 72 Objection to Discovery Order Number 26 filed by Grandview Medical Center. (Mays, Joseph) (Entered: 09/23/2016)
09/23/2016	<u>768</u>		MOTION to Appoint Counsel , <i>Gregory S. Cusimano, to the Litigation Committee for the Provider Track</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 09/23/2016)

09/23/2016	<u>769</u>		Notice of Supplemental Authority filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Campbell, Andrew) (Entered: 09/23/2016)
09/23/2016	<u>770</u>		Cross MOTION for Partial Summary Judgment by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 09/23/2016)
09/23/2016	<u>771</u>		***Document Sealed –Subscriber Plaintiffs' Consolidated Memorandum of Law (1)In Opposition to Defendants' Amended and Restated Motion for Summary Judgment Based on the Filed Rate Doctrine on the Alabama Subscribers' Damages Claims, and (2) In Support of Plaintiffs' Cross–Motion for Partial Summary Judgment. (AVC,) (Entered: 09/23/2016)
09/23/2016	<u>772</u>		RESPONSE in Opposition to <u>762</u> Supplemental Rule 72 Objection filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 09/23/2016)
09/23/2016	<u>773</u>		***Document Sealed –Subscriber Plaintiffs' Notice of Filing Under Seal Evidentiary Submission in Support of Consolidated Memorandum of Law in Opposition to Defendants' Amended and Restated Motion Based on the Filed Rate Doctrine for Summary Judgment on Alabama Subscribers' Damages Claims, and in Support of Plaintiffs' Cross–Motion for Partial Summary Judgment. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 6, # <u>6</u> Exhibit 9, # <u>7</u> Exhibit 10, # <u>8</u> Exhibit 11, # <u>9</u> Exhibit 12, # <u>10</u> Exhibit 18, # <u>11</u> Exhibit 20, # <u>12</u> Exhibit 22) (AVC) (Entered: 09/23/2016)
09/23/2016	774		TEXT ORDER – This matter is before the Court on the Provider Plaintiffs Motion to Appoint Gregory S. Cusimano to the Litigation Committee for the Provider Track. <u>768</u> The Motion <u>768</u> is GRANTED. Mr. Cusimano is APPOINTED to serve on the Provider Track Litigation Committee. Signed by Judge R David Proctor on 9/23/2016. (AVC) (Entered: 09/23/2016)
09/23/2016	<u>775</u>		Evidentiary Submission in Support of Subscriber Plaintiffs' Consolidated Memorandum of Law in Opposition to Defendants' Amended and Restated Motion Based on the Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims, and in Support of Plaintiffs' Cross–Motion for Partial Summary Judgment.(Attachments: # <u>1</u> Exhibit 1 – Under Seal, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3 – Under Seal, # <u>4</u> Exhibit 4 – Under Seal, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6 – Under Seal, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9 – Under Seal, # <u>10</u> Exhibit 10 – Under Seal, # <u>11</u> Exhibit 11 – Under Seal, # <u>12</u> Exhibit 12 – Under Seal, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18 – Under Seal, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20 – Under Seal, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23)(Ragsdale, Barry) (Entered: 09/23/2016)
09/26/2016	<u>776</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2016 through August 31, 2016 in this matter relating solely to services provided to the Plaintiffs, and totaling \$46,000.00. Signed by Judge R David Proctor on 9/26/2016. (AVC) (Entered: 09/26/2016)
09/26/2016	<u>777</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2016 through August 31, 2016 in this matter as it relates to services rendered for both sides of the

		case, and totaling \$7,000.00. Signed by Judge R David Proctor on 9/26/2016. (AVC) (Entered: 09/26/2016)
09/26/2016	<u>778</u>	Subscriber Plaintiffs' Supplemental Memorandum to Unseal the Carden and Ostlund Depositions. (Ragsdale, Barry) (Entered: 09/26/2016)
09/27/2016		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 9/27/2016. (Court Reporter Leah Turner.) (KLL) (Entered: 09/27/2016)
09/28/2016	779	TEXT ORDER. At the request of the parties, the Discovery Status Conference previously set for September 28, 2016, (doc. 748) is CANCELLED. Signed by Magistrate Judge T Michael Putnam on September 28, 2016. (AMP) (Entered: 09/28/2016)
10/03/2016	<u>780</u>	Transcript of Proceedings held on 9/27/2016, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/24/2016. Redacted Transcript Deadline set for 11/3/2016. Release of Transcript Restriction set for 1/1/2017. (AVC) (Entered: 10/03/2016)
10/06/2016	<u>781</u>	ORDER –The Clerk is directed to unseal the documents and/or exhibits to the Provider Plaintiffs' Memorandum of Law in Opposition to NASCO and CHP's Motion for Summary Judgment <u>689</u> as set out. The court recognizes that Defendants NASCO and CHP's Motion for Summary <u>658</u> was filed before this court's most recent sealing procedures went into effect. However, the court ORDERS that, by 10/14/2016, any party seeking to maintain the seal on these exhibits filed under seal in connection with the motion for summary judgment <u>659</u> SHALL provide the court with a justification for maintaining the documents under seal. Signed by Judge R David Proctor on 10/6/2016. (AVC) (Entered: 10/06/2016)
10/06/2016	<u>782</u>	Subscriber Plaintiff's MOTION to Set a Schedule for Briefing of Their Objections to Discovery Order 33 by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 10/06/2016)
10/07/2016	783	TEXT ORDER –This matter is before the court on Subscriber Plaintiff's Motion to Set a Schedule for Briefing of Their Objections to Discovery Order 33. <u>782</u> While the parties are encouraged to continue efforts to reach a mutually agreeable resolution of this issue, BCBSAL SHALL respond to the Motion <u>782</u> on or before October 7, 2016 . Signed by Judge R David Proctor on 10/7/2016. (AVC) (Entered: 10/07/2016)
10/07/2016	<u>784</u>	

		NOTICE of Filing Revised Redacted Exhibit to Motion for Summary Judgment by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Revised Redacted Transcript)(Zott, David) (Entered: 10/07/2016)
10/07/2016	<u>785</u>	TEXT ORDER —This matter is before the court on an informal request by BCBSAL to extend the deadline to respond to Subscriber Plaintiff's Motion to Set a Schedule for Briefing of Their Objections to Discovery Order 33 <u>782</u> . The request is GRANTED . BCBSAL SHALL respond to the Motion <u>782</u> on or before October 10, 2016 . Signed by Judge R David Proctor on 10/7/2016. (AVC) (Entered: 10/07/2016)
10/10/2016	<u>786</u>	RESPONSE <u>782</u> Subscriber Plaintiff's Motion to Set a Schedule for Briefing of Their Objections to Discovery Order 33 filed by Defendants' Counsel. (Burkhalter, Carl) (Entered: 10/10/2016)
10/10/2016	<u>787</u>	JOINT STATUS REPORT Regarding Amended Scheduling Order by Defendants' Counsel. (Hoover, Craig) (Entered: 10/10/2016)
10/11/2016	<u>788</u>	Joint MOTION to Correct Response to Motion to Set Briefing Schedule on Rule 72 Objections to Discovery Order No.33 by Defendants' Counsel. (Burkhalter, Carl) (Entered: 10/11/2016)
10/11/2016	<u>789</u>	TEXT ORDER —This matter is before the court on Subscriber Plaintiff's Motion to Set a Schedule for Briefing of Their Objections to Discovery Order 33. <u>782</u> In light of the recently–filed Joint Motion to Amend/Correct Response to Motion to Set Briefing Schedule on Rule 72 Objections to Discovery Order No.33 <u>788</u> , it is ORDERED as follows: Subscriber Plaintiff's Motion to Set a Schedule for Briefing of Their Objections to Discovery Order 33 <u>782</u> is GRANTED IN PART . The Joint Motion to Amend/Correct Response to Motion to Set Briefing Schedule on Rule 72 Objections to Discovery Order No.33 <u>788</u> is GRANTED . BCBS–ALs response to Subscriber Plaintiffs Rule 72 Objections to Discovery Order No. 33 is due on or before October 17, 2016 at 5:00 P.M. CDT . Any reply is due on or before October 21, 2016 . Signed by Judge R David Proctor on 10/11/2016. (AVC) (Entered: 10/11/2016)
10/12/2016	<u>790</u>	ORDER –This matter is before the court on the October 7, 2016 Seal Team Reports from Subscriber Plaintiffs and from Defendants. In light of the matters contained within those reports, the Clerk is directed to unseal the documents as set out. Signed by Judge R David Proctor on 10/12/2016. (AVC) (Entered: 10/12/2016)
10/13/2016	<u>791</u>	ORDER–re: Joint Seal Team Report. The Clerk is DIRECTED to unseal the documents as set out. Signed by Judge R David Proctor on 10/13/2016. (AVC) (Entered: 10/13/2016)
10/17/2016	<u>792</u>	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Wednesday, November 2, 2016, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL, before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2. of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on October 17, 2016. (AMP) (Entered: 10/17/2016)
10/17/2016	<u>793</u>	

		RESPONSE to Subscriber Plaintiffs' Rule 72 Objections to Discovery Order No. 33 filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> B)(Burkhalter, Carl) (Entered: 10/17/2016)
10/17/2016	<u>794</u>	Subscriber Plaintiffs' MOTION To Add Court Filings to Clerk's Docket by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 10/17/2016)
10/18/2016	<u>795</u>	ORDER REGARDING DEFENDANTS' OBJECTION TO DISCOVERY ORDER NO. 26 –re: <u>663</u> . The Dft's Objections are OVERRULED with one exception. In an effort to promote judicial economy and overall efficiency, the procedures adopted in Discovery Order 26, as modified <u>641</u> and <u>713</u> are FURTHER MODIFIED as set out. Signed by Judge R David Proctor on 10/18/2016. (AVC) (Entered: 10/18/2016)
10/18/2016	<u>796</u>	ORDER UNSEALING OSTLUND AND CARDEN DEPOSITION TRANSCRIPTS–Subscriber Plaintiffs' Motion to Unseal Alabama Department of Insurance Deposition Transcript <u>719</u> is GRANTED. Both the Ostlund and the Carden depositions will be unsealed. The Clerk is directed to unseal (doc# 738–58, doc# 773–11, and doc# 773–10). Signed by Judge R David Proctor on 10/18/2016. (AVC) (Entered: 10/18/2016)
10/19/2016	<u>797</u>	Subscriber Plaintiffs' STATUS REPORT Regarding Privilege Log Issues With Blue Cross Blue Shield of Alabama and Blue Cross Blue Shield Association by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 10/19/2016)
10/19/2016	<u>798</u>	Provider Plaintiffs' MOTION to Compel Defendants to Produce Provider Reimbursement Data by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order)(Whatley, Joe) (Entered: 10/19/2016)
10/19/2016	<u>799</u>	Provider Plaintiffs' MOTION to Compel NonParties SK&A Information Services and IMS Health, Inc. and Memorandum in Support by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Whatley, Joe) (Entered: 10/19/2016)
10/19/2016	<u>800</u>	Provider Plaintiffs' MOTION to Compel Nonparty Health Care Cost Institute, and Memorandum in Support by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Whatley, Joe) (Entered: 10/19/2016)
10/19/2016	<u>801</u>	Provider Plaintiffs' MOTION for an Order Compelling Non–Party Insurers to Produce Certain Documents and Data or Setting a Schedule for Resolution of the Underlying Issues on an Expedited Basis by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 10/19/2016)
10/20/2016	<u>802</u>	MEMORANDUM OPINION. Signed by Judge R David Proctor on 10/20/2016. (AVC) (Entered: 10/20/2016)
10/20/2016	<u>803</u>	ORDER–re: Motion for Summary Judgment filed by Defendants National Account Service Company, LLC and Consortium Health Plans, Inc. <u>658</u> . For the reasons stated in the Memorandum Opinion <u>802</u> , the Motion for Summary Judgment is GRANTED . The court will address in subsequent orders in the appropriate related cases the dismissal of NASCO and CHP

			from those actions and this MDL. Signed by Judge R David Proctor on 10/20/2016. (AVC) (Entered: 10/20/2016)
10/21/2016	<u>804</u>		Subscriber Plaintiffs' REPLY Brief in Support of Rule 72 Objections to Discovery Order No. 33 filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 10/21/2016)
10/21/2016	<u>805</u>		JOINT REPLY Brief in Support of Amended and Restated Motion Based on the Filed Rate Doctrine for Summary Judgment of the Alabama Subscribers' Damages Claims and Joint Brief in Opposition to Subscribers' Cross Motion for Partial Summary Judgment filed by Defendants' Counsel. (Priester, James) (Entered: 10/21/2016)
10/25/2016	<u>806</u>		Opposed MOTION for an Extension of the Deadline to Respond by UnitedHealth Group Incorporated. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Text of Proposed Order Proposed Order)(Gray, William) (Entered: 10/25/2016)
10/25/2016	<u>807</u>		JOINT STATUS REPORT Regarding Amended Scheduling Order by Defendants' Counsel. (Hoover, Craig) (Entered: 10/25/2016)
10/25/2016	<u>808</u>		MOTION for an Extension of the Deadline to Respond by AETNA, Inc.. (Attachments: # <u>1</u> Proposed Order)(Wells, H) (Entered: 10/25/2016)
10/25/2016	<u>809</u>		Opposed MOTION for Extension of Deadline to Respond to Provider Plaintiffs' Motion <u>801</u> by Humana Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Proposed Order)(Turner, Sara) (Entered: 10/25/2016)
10/26/2016	<u>810</u>		NOTICE of Appearance by Daniel R Walworth on behalf of SK&A Information Services, Inc., Quintiles IMS Incorporated, f/k/a IMS Health Incorporated (Walworth, Daniel) (Entered: 10/26/2016)
10/26/2016	<u>811</u>		Consent MOTION of Non-Parties SK&A Information Services Inc. and Quintiles IMS Incorporated for an Extension of the Deadline to Respond by Quintiles IMS Incorporated, f/k/a IMS Health Incorporated, SK&A Information Services, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Walworth, Daniel) (Entered: 10/26/2016)
10/26/2016	<u>812</u>		ORDER –re: Motions to Compel non-parties to respond to subpoenas <u>799</u> , <u>800</u> , <u>801</u> . Responses by the non-parties are due by 11/14/2016. The provider plaintiffs may file a reply by 11/18/2016. The motions for extension of time to respond to the motions to compel <u>806</u> , <u>808</u> , <u>809</u> , <u>811</u> are GRANTED IN PART and DENIED IN PART. All non-parties addressed in the provider plaintiffs' motions to compel are ORDERED to adhere to the briefing scheduled as set out. Signed by Magistrate Judge T Michael Putnam on 10/26/2016. (AVC) (Entered: 10/26/2016)
10/27/2016	<u>813</u>		ORDER –The Motion Subscriber Plaintiffs' Motion to Add Court Filings to the Clerk's Docket <u>794</u> is GRANTED , and Subscriber Plaintiffs are DIRECTED to file the documents reference in their Motion on the docket. Any further justification of a filing under seal SHALL be filed on the court docket rather than e-mailed to chambers. Signed by Judge R David Proctor on 10/27/2016. (AVC) (Entered: 10/27/2016)
10/28/2016	<u>814</u>		

			MOTION for Limited Admission by Humana Inc.. (Attachments: # <u>1</u> t Exhibit A, # <u>2</u> Exhibit B)(Turner, Sara) (Entered: 10/28/2016)
10/28/2016	<u>815</u>		ORDER REGARDING SUBSCRIBER PLAINTIFFS' OBJECTION TODISCOVERY ORDER NO. 33--Subscriber Plaintiffs' Rule 72 Objections to Discovery Order No. 33 <u>763</u> are OVERRULED as set out. Signed by Judge R David Proctor on 10/28/2016. (AVC) (Entered: 10/28/2016)
10/28/2016	<u>816</u>		RESPONSE to <u>797</u> Subscriber Plaintiffs' Status Report Regarding Privilege Logs filed by Defendants' Counsel. (Zott, David) (Entered: 10/28/2016)
10/28/2016	<u>817</u>		STATEMENT of Position Regarding Plaintiffs' Motions to Compel filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Campbell, Andrew) (Entered: 10/28/2016)
10/28/2016	<u>818</u>		RESPONSE to <u>797</u> Subscriber Plaintiffs' Status Report Regarding Privilege Logs filed by Defendants' Counsel. (Burkhalter, Carl) (Entered: 10/28/2016)
10/28/2016	<u>819</u>		Opposition to <u>798</u> Provider Plaintiffs' Motion to Compel Production of Provider Reimbursement Data filed by California Physicians' Service, Inc. d/b/a Blue Shield of California. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit)(Fronk, Casey) (Entered: 10/28/2016)
10/28/2016	<u>820</u>		Provider Plaintiffs' NOTICE Regarding Motion to Compel Production of Provider Reimbursement Data by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 10/28/2016)
10/28/2016	<u>821</u>		RESPONSE to <u>798</u> Provider Plaintiffs' Motion to Compel Production of Provider Reimbursement Data filed by Defendants' Counsel. (Arizmendi, Sylvia) (Entered: 10/28/2016)
10/31/2016	<u>822</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>823</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>824</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit A to Attachment A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>825</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>826</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit A to Attachment A, # <u>3</u> Exhibit B to Attachment A, # <u>4</u> Exhibit C to Attachment A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>827</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>828</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)
10/31/2016	<u>829</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)

10/31/2016	<u>830</u>		NOTICE of Filing by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 10/31/2016)
11/01/2016	<u>831</u>		Provider Plaintiffs' Supplemental Notice of Withdrawal of Motion to Compel Production of Provider Reimbursement Data by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 11/01/2016)
11/02/2016	<u>832</u>		DISCOVERY ORDER No. 34. Signed by Magistrate Judge T Michael Putnam on 11/2/2016. (AVC) (Entered: 11/02/2016)
11/02/2016	<u>833</u>		DISCOVERY ORDER No. 35. Signed by Magistrate Judge T Michael Putnam on 11/2/2016. (AVC) (Entered: 11/02/2016)
11/02/2016			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 11/2/2016. (Court Reporter Sabrina Lewis.) (ASL) (Entered: 11/02/2016)
11/02/2016	834		TEXT ORDER withdrawing <u>798</u> Motion to Compel. Provider Plaintiffs have withdrawn this motion as to all defendants. (Docs. 820, 831). Signed by Magistrate Judge T Michael Putnam on November 2, 2016. (AMP) (Entered: 11/02/2016)
11/04/2016	<u>835</u>		Subscriber Plaintiffs' (1)Consolidated Reply Memorandum of Law in Support of Their Cross-Motion for Partial Summary Judgment and (2) Submission of Summary Report of BCBSAL's Rate-Filing Illegality filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 11/04/2016)
11/08/2016	<u>836</u>		MOTION for Clarification of Discovery Order No. 34 by Health Care Authority of the City of Huntsville. (Knox, George) (Entered: 11/08/2016)
11/08/2016	<u>837</u>		NOTICE of Change of Firm Affiliation by Plaintiffs' Counsel. (Clemon, U) (Entered: 11/08/2016)
11/08/2016	<u>838</u>		(Corrected) Subscriber Plaintiffs' (1) Consolidated Reply Memorandum of Law in Support of Their Cross-Motion for Partial Summary Judgment and (2) Submission of Summary Report of BCBSAL's Rate-Filing Illegality filed by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 11/08/2016)
11/11/2016	<u>839</u>		JOINT SURREPLY Brief in Opposition to Subscriber Plaintiffs' Cross Motion for Partial Summary Judgment filed by Defendants' Counsel. (Attachments: # <u>1</u> Attachment A)(Priester, James) (Entered: 11/11/2016)
11/14/2016	840		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Wednesday, November 30, 2016, at 9:00 a.m. in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on November 14, 2016. (AMP) (Entered: 11/14/2016)
11/14/2016	<u>841</u>		ORDER-At the request of the parties, the briefing schedule issued by the court on October 26, 2016 <u>812</u> is AMENDED: Responses by non-parties to the provider plaintiffs' motions to compel are due by 11/17/2016. Reply briefs, if any, by the provider plaintiffs are due by 11/23/2016. Any oral

		argument on the motions will be heard at the Discovery Status Conference set for Wednesday, 11/30/2016. Signed by Magistrate Judge T Michael Putnam on 11/14/2016. (AVC) (Entered: 11/14/2016)
11/14/2016	<u>842</u>	MOTION for Leave to Appear Pro Hac Vice of Joshua Lipton by AETNA, Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Wells, H) (Entered: 11/14/2016)
11/14/2016		PHV Fee paid: \$ 50, receipt number 1126-2738149. (Wells, H) (Entered: 11/14/2016)
11/14/2016	<u>843</u>	Subscriber Plaintiffs' Motion to Amend the Subscriber Track Consolidated Class Action Complaint by Plaintiffs' Counsel. (Attachments: # <u>1</u> Proposed Second Amended Consolidated Class Action Complaint)(Guin, David) (Entered: 11/14/2016)
11/16/2016	<u>844</u>	Provider Plaintiffs' NOTICE of Withdrawal of their Motion to Compel Nonparties SK&A Information Services, Inc. and IMS Health, Inc., to Produce Documents Without Prejudice <u>799</u> by Plaintiffs' Counsel.(Whatley, Joe) (Entered: 11/16/2016)
11/16/2016	<u>845</u>	RULE 72 Objection to Discovery Order No. 34 <u>832</u> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Campbell, Andrew) (Entered: 11/16/2016)
11/16/2016	<u>846</u>	MOTION to Compel Production of Documents from Non-Alabama Named Provider Plaintiffs by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Hoover, Craig) (Entered: 11/16/2016)
11/16/2016	<u>847</u>	MOTION to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Documents by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E)(Ragsdale, Barry) (Entered: 11/16/2016)
11/16/2016	<u>848</u>	Subscriber Plaintiffs' MOTION to Compel Defendants' Production of Non-claims Structured Data by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C)(Ragsdale, Barry) (Entered: 11/16/2016)
11/16/2016	<u>849</u>	Subscriber Plaintiffs' MOTION to Compel Defendants' Production of Structured Data by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 11/16/2016)
11/16/2016	<u>850</u>	STATUS REPORT Regarding Plaintiffs Productions by Defendants' Counsel. (Zott, David) (Entered: 11/16/2016)
11/16/2016	<u>851</u>	OBJECTION and Appeal of Discovery Order No. 34 <u>832</u> by Grandview (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Mays, Joseph) (Entered: 11/16/2016)
11/16/2016	<u>852</u>	OBJECTION and Appeal of Discovery Order 34 <u>832</u> by Andrews Sports Medicine and Orthopaedic Center, LLC.(Wilson, Benjamin) (Entered: 11/16/2016)

11/17/2016	<u>853</u>		OBJECTION and APPEAL of Discovery Order No. 34 <u>832</u> by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc. (Knox, George) (Entered: 11/17/2016)
11/17/2016	<u>854</u>		REPORT Regarding Proposed Agenda for Status Conference and Hearing on November 29, 2016 by Special Master. (Gentle, Edgar) (Entered: 11/17/2016)
11/17/2016	855		TEXT ORDER —The court is in receipt of a number of objections to Discovery Order No. 34. Interested parties are directed to confer and, on or before November 22, 2016, file with the court of a joint proposed briefing schedule on the objections. Signed by Judge R David Proctor on 11/17/2016. (AVC) (Entered: 11/17/2016)
11/17/2016	<u>856</u>		RESPONSE of Non-Party in Opposition to <u>801</u> Provider Plaintiffs' Motion to Compel filed by Humana Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Text of Proposed Order)(Turner, Sara) (Entered: 11/17/2016)
11/17/2016	<u>857</u>		Non-Party Opposition to <u>801</u> Provider Plaintiffs' Motion to Compel Production of Certain Documents and Data filed by AETNA, Inc. (Attachments: # <u>1</u> Affidavit Declaration of Joshua Lipton, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J)(Wells, H) (Entered: 11/17/2016)
11/17/2016	<u>858</u>		Non-Party RESPONSE to <u>801</u> Provider Plaintiffs' Motion to Compel filed by UnitedHealth Group Incorporated. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Gray, William) (Entered: 11/17/2016)
11/17/2016	<u>859</u>		Non-Party Objection to <u>800</u> Provider Plaintiffs' Motion to Compel filed by Health Care Cost Institute, Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mays, Joseph) (Entered: 11/17/2016)
11/17/2016	<u>860</u>		NOTICE of Appearance by Christopher W Weller on behalf of CIGNA Health and Life Insurance Company (Weller, Christopher) (Entered: 11/17/2016)
11/17/2016	<u>861</u>		MOTION for Admission Pro Hac Vice of Christopher W. Weller by CIGNA Health and Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Weller, Christopher) (Entered: 11/17/2016)
11/17/2016	<u>862</u>		MOTION for Admission Pro Hac Vice Admission of Michelle S. Kallen by CIGNA Health and Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Weller, Christopher) (Entered: 11/17/2016)
11/17/2016	<u>863</u>		Non-Party Opposition to <u>801</u> Provider Plaintiffs' Motion for an Order to Compel filed by CIGNA Health and Life Insurance Company. (Attachments: # <u>1</u> List of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8)(Weller, Christopher) (Entered: 11/17/2016)
11/21/2016	<u>864</u>		

			NOTICE of Change of Address by Michael J. Fleming (Fleming, Michael) (Entered: 11/21/2016)
11/22/2016	<u>865</u>		NOTICE of Appearance by Erik F Benny on behalf of Defendants' Counsel (Benny, Erik) (Entered: 11/22/2016)
11/22/2016	<u>866</u>		MOTION to Stay <i>Discovery Deadlines in Discovery Order No. 34</i> by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc.. (Kelly, Jeffrey) (Entered: 11/22/2016)
11/22/2016	<u>867</u>		JOINDER in <u>866</u> Motion to Stay Discovery Deadlines in Discovery Order 34 filed by Grandview Medical Center. (Mays, Joseph) (Entered: 11/22/2016)
11/22/2016	<u>868</u>		RESPONSE to <u>836</u> Motion for Clarification of Discovery Order No. 34 filed by Blue Cross Blue Shield of Michigan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Campbell, Andrew) (Entered: 11/22/2016)
11/22/2016	869		TEXT ORDER –This matter is before the court on Subscriber Plaintiffs' Motion to Amend the Subscriber Track Consolidated Class Action Complaint. <u>843</u> The Motion <u>843</u> is GRANTED. Subscriber Plaintiffs are directed to file the proposed Subscriber Track Consolidated Class Action Complaint with the Clerk of the Court. Signed by Judge R David Proctor on 11/22/2016. (AVC) (Entered: 11/22/2016)
11/22/2016	<u>870</u>		Joint Proposed Briefing Schedule for the Rule 72 Appeals of Discovery Order No. 34 by Blue Cross Blue Shield of Michigan. (Attachments: # <u>1</u> Text of Proposed Order)(Campbell, Andrew) (Entered: 11/22/2016)
11/22/2016	<u>871</u>		JOINDER in <u>866</u> Motion to Stay Discovery Deadlines Set Forth in Discovery Order No. 34 filed by Andrews Sports Medicine and Orthopaedic Center, LLC. (Wilson, Benjamin) (Entered: 11/22/2016)
11/23/2016	<u>872</u>		JOINDER in <u>866</u> Motion to Stay Discovery Deadlines in Discovery Order No. 34 filed by John B. Waits. (Brown, W) (Entered: 11/23/2016)
11/23/2016	873		TEXT ORDER –This matter is before the court on the Interested Parties' Joint Proposed Briefing Schedule. <u>870</u> The request for the proposed Briefing Schedule <u>870</u> is GRANTED. The parties submitting the Joint Proposed Briefing Schedule shall file any response briefs on or before December 7, 2016. Reply briefs shall be filed on or before December 14, 2016. Signed by Judge R David Proctor on 11/23/2016. (AVC) (Entered: 11/23/2016)
11/23/2016	<u>874</u>		Subscriber Plaintiff's Notice Regarding Motion to Compel Defendants' Production of Non–claims Structured Data by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 11/23/2016)
11/23/2016	<u>875</u>		Provider Plaintiffs' REPLY in Support of their <u>801</u> Motion to Compel Non–Party Insurers to Produce Certain Documents and Data filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 11/23/2016)
11/23/2016	<u>876</u>		Provider Plaintiffs' REPLY in Support of their <u>800</u> Motion to Compel Health Care Cost Institute, Inc. filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 11/23/2016)
11/28/2016	<u>877</u>		

		Subscriber Plaintiffs' NOTICE Regarding Motion to Compel Defendants' Production of Non-Claims Structured Data by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 11/28/2016)
11/28/2016	<u>878</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT, for payment for services rendered and expenses incurred from September 1, 2016 through October 31, 2016 in this matter relating solely to services provided to the Plaintiffs, and totaling \$53,000.00. Signed by Judge R David Proctor on 11/28/2016. (AVC) (Entered: 11/28/2016)
11/28/2016	<u>879</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT, for payment for services rendered and expenses incurred from September 1, 2016 through October 31, 2016 in this matter as it relates to services rendered for both sides of the case, and totaling \$5,000.00. Signed by Judge R David Proctor on 11/28/2016. (AVC) (Entered: 11/28/2016)
11/28/2016	<u>880</u>	Subscriber Plaintiffs' Response to Defendants' Status Report Regarding Plaintiffs' Productions by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 11/28/2016)
11/28/2016	<u>881</u>	Supplemental Statement of Position regarding Plaintiffs' Motions to Compel filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Campbell, Andrew) (Entered: 11/28/2016)
11/28/2016	<u>882</u>	BCBSAL's RESPONSE to <u>847</u> Plaintiffs' Motion to Compel Unstructured and Structured Data filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 11/28/2016)
11/29/2016		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 11/29/2016. (Court Reporter Leah Turner.) (KLL) (Entered: 11/29/2016)
11/30/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Status Conference held on 11/30/2016; discovery status updates; arguments by counsel on motions docs <u>847</u> , <u>849</u> , <u>800</u> , <u>801</u> ; hrg adj. (Court Reporter Teresa Roberson.) (ASL) (Entered: 11/30/2016)
11/30/2016	<u>883</u>	OBJECTIONS AND MOTION to Quash Subpoenas by Health Care Authority of the City of Huntsville. (Kelly, Jeffrey) (Entered: 11/30/2016)
11/30/2016	<u>884</u>	OBJECTIONS AND MOTION to Quash Subpoenas by Russellville Hospital, Inc. (Kelly, Jeffrey) (Entered: 11/30/2016)
11/30/2016	<u>885</u>	OBJECTION to and Motion to Quash Subpoena Issued by Provider Plaintiffs by Grandview Medical Center. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Mays, Joseph) (Entered: 11/30/2016)
11/30/2016	<u>886</u>	OBJECTION and MOTION to Quash Provider Plaintiff Subpoenas by Andrews Sports Medicine and Orthopaedic Center, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Wilson, Benjamin) (Entered: 11/30/2016)
12/01/2016	<u>887</u>	DISCOVERY ORDER No. 36. (See Text Order doc# 889) Signed by Magistrate Judge T Michael Putnam on 12/1/2016. (AVC) (Entered: 12/01/2016)

12/01/2016	888		TEXT ORDER –The court has been made aware that the parties might like the opportunity for supplemental briefing on the Filed Rate Motions. To the extent the parties wish to submit additional briefing on the Filed Rate Motions, any such briefing shall be submitted simultaneously on or before Thursday, December 8, 2016 , and shall be limited to ten pages. Signed by Judge R David Proctor on 12/1/2016. (AVC) (Entered: 12/01/2016)
12/02/2016	889		TEXT ORDER re <u>887</u> Discovery Order No. 35. This Order was erroneously filed as Discovery Order No. 35. Document <u>887</u> is the 36th discovery order and will hereinafter be referred to as Discovery Order No. 36. Signed by Magistrate Judge T Michael Putnam on December 2, 2016. (AMP) (Entered: 12/02/2016)
12/02/2016	890		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Monday, December 19, 2016, at 2:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on December 2, 2016. (AMP) (Entered: 12/02/2016)
12/02/2016	<u>891</u>		ORDER–In light of the pending Rule 72 appeal of Discovery Order No. 34[832], the Motion for Clarification <u>836</u> is DENIED. The Motion to Stay Discovery Deadlines in Discovery Order No. 34 <u>866</u> , along the Joinders [567, <u>571</u> , <u>872</u> IS GRANTED IN PART. All deadlines set out in Discovery Order No. 34 are STAYED for a period of 30 days. Signed by Magistrate Judge T Michael Putnam on 12/2/2016. (AVC) (Entered: 12/02/2016)
12/02/2016	<u>892</u>		ORDER – re: Motion to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Documents <u>847</u> and Motion to Compel Defendants' Production of Structured Data <u>849</u> . The parties are DIRECTED to meet and confer and file with the court a joint status report (or, if the parties cannot agree, separate reports may be filed) concerning the status of the motions no later than 12/15/2016. Signed by Magistrate Judge T Michael Putnam on 12/2/2016. (AVC) (Entered: 12/02/2016)
12/02/2016	<u>893</u>		ORDER –Pursuant to discussion at the Discovery Conference held on November 30, 2016, Provider Plaintiffs' Motion to Compel Nonparties SK&A Information Services, Inc., and IMS Health, Inc. <u>799</u> and Subscriber Plaintiffs' Motion to Compel Defendants' Production of Non–Claims Structured Data. <u>848</u> , are WITHDRAWN. Signed by Magistrate Judge T Michael Putnam on 2/2/2016. (AVC) (Entered: 12/02/2016)
12/02/2016	<u>894</u>		Subscriber Plaintiffs' Notice of Correction Regarding Narrowed Discovery Requested from Third Party Insurance Companies by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 12/02/2016)
12/05/2016	895		TEXT ORDER –The court's September 13, 2016 order, <u>757</u> , setting the Economics Day status conference is AMENDED as follows: the status conference is SET for 9:00 a.m. (CST) on December 20, 2016 in CR 8 . Signed by Judge R David Proctor on 12/5/2016. (AVC) (Entered: 12/05/2016)
12/06/2016	<u>896</u>		Transcript of Proceedings held on 11/30/2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson, Telephone number

		(205) 492–2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/27/2016. Redacted Transcript Deadline set for 1/6/2017. Release of Transcript Restriction set for 3/6/2017. (Attachments: # <u>1</u> certification page) (AVC) (Entered: 12/06/2016)
12/07/2016	<u>897</u>	Subscriber Track Second AMENDED Consolidated Class Action Complaint against All Defendants, filed by Plaintiffs' Counsel.(Guin, David) (Entered: 12/07/2016)
12/07/2016	<u>898</u>	CONSOLIDATED Response to the Objecting Providers' Rule 72 Objections filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 12/07/2016)
12/07/2016	<u>899</u>	Non–Party RESPONSE to <u>845</u> Defendants' Rule 72 Objection to Discovery Order No. 34 filed by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc.. (Kelly, Jeffrey) (Entered: 12/07/2016)
12/07/2016	<u>900</u>	RESPONSE to <u>845</u> Defendants' Appeal of Discovery Order No. 34 filed by John B. Waits. (Brown, W) (Entered: 12/07/2016)
12/07/2016	<u>901</u>	BRIEF in Support of its Appeal and Objection to Discovery Order No. 34 and in Response to Defendants' Appeal and Objection to Discovery Order No. 34 filed by Grandview Medical Center. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Mays, Joseph) (Entered: 12/07/2016)
12/07/2016	<u>902</u>	RESPONSE on Non–Party to <u>845</u> Defendants' Rule 72 Objection to Discovery Order No. 34 filed by Andrews Sports Medicine and Orthopaedic Center, LLC. (Wilson, Benjamin) (Entered: 12/07/2016)
12/08/2016	<u>903</u>	Subscriber Plaintiffs' Post–Hearing Brief on the Filed Rate Doctrine by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 12/08/2016)
12/08/2016	<u>904</u>	Defendants' Supplemental Brief in Support of Their Amended and Restated Motion on the Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims and in Opposition to Subscribers' Cross Motion for Partial Summary Judgment on filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit)(Hoover, Craig) (Entered: 12/08/2016)
12/09/2016	<u>905</u>	Transcript of Proceedings held on 11/29/2016, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656–8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available

			to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/30/2016. Redacted Transcript Deadline set for 1/9/2017. Release of Transcript Restriction set for 3/9/2017. (AVC) (Entered: 12/09/2016)
12/09/2016	<u>906</u>		ORDER REGARDING ECONOMICS DAY. Signed by Judge R David Proctor on 12/9/2016. (AVC) (Entered: 12/09/2016)
12/09/2016	<u>907</u>		MOTION for an Order to Show Cause by Plaintiffs' Counsel. (Attachments: # <u>1</u> Ex-A, # <u>2</u> Ex-B)(Whatley, Joe) (Entered: 12/09/2016)
12/14/2016	<u>908</u>		REPLY in Support of Objections to and Appeal of Discovery Order No. 34 filed by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc. (Kelly, Jeffrey) (Entered: 12/14/2016)
12/14/2016	<u>909</u>		Provider Plaintiffs' NOTICE Regarding Motions to Quash Their Subpoenas and Request the Motions be Held in Abeyance by Plaintiffs' Counsel. (Brown, W) (Entered: 12/14/2016)
12/14/2016	<u>910</u>		REPLY Brief in Support of <u>898</u> Appeal and Objection to Discovery Order No. 34 and in Response to Defendants' Appeal and Objection to Discovery Order No. 34 filed by Grandview Medical Center. (Mays, Joseph) (Entered: 12/14/2016)
12/14/2016	<u>911</u>		Consolidated REPLY in Support of <u>845</u> Rule 72 Objection to Discovery Order No. 34 filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 12/14/2016)
12/14/2016	<u>912</u>		MOTION to Strike <u>901</u> Grandview Medical Center's Brief in Support of Its Appeal and Objection to Discovery Order No. 34 by Defendants' Counsel. (Campbell, Andrew) (Entered: 12/14/2016)
12/14/2016	<u>913</u>		RESPONSE to <u>846</u> Motion to Compel Production of Documents from Non-Alabama Named Provider Plaintiffs filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 12/14/2016)
12/15/2016	<u>914</u>		Unopposed MOTION to Enlarge the Time for Responding to the Amended Complaints by Defendants' Counsel. (Hoover, Craig) (Entered: 12/15/2016)
12/15/2016	915		TEXT ORDER – This matter is before the court on the parties' Unopposed Motion to Enlarge the Time for Responding to the Amended Complaints in the prioritized proceedings. <u>914</u> The Motion <u>914</u> is GRANTED. It is ORDERED as follows: On or before January 17, 2017, any motions to dismiss under Rule 12(b)(6) as well as motions to dismiss based on lack of personal jurisdiction and improper venue SHALL be filed; and on or before January 31, 2017 any answers to the amended complaints SHALL be filed. With respect to any Rule 12(b)(6) motions to dismiss filed on January 17, plaintiffs will have 30 days to file opposition briefs. Reply briefs will be due within 15 days. Any defendants that have preserved their jurisdictional defenses under the Stipulated Order dated September 9, 2016, continue to preserve such defenses. Signed by Judge R David Proctor on 12/15/2016.

		(AVC) (Entered: 12/15/2016)
12/15/2016	<u>916</u>	JOINT STATUS REPORT on Non-Party Insurers Productions by Plaintiffs' Counsel. (Sheehan, Patrick) (Entered: 12/15/2016)
12/15/2016	<u>917</u>	JOINT STATUS REPORT Regarding Plaintiffs' Motions To Compel Defendant Blue Cross Blue Shield Of Alabama To Produce Unstructured And Structured Data by Defendants' Counsel. (Malatesta, John) (Entered: 12/15/2016)
12/16/2016	<u>918</u>	STATUS REPORT for December 19, 2016 Discovery Conference by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Hoover, Craig) (Entered: 12/16/2016)
12/16/2016	<u>919</u>	RESPONSE to Provider Plaintiffs' Motion for an Order to Show Cause filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 11/11/2016 Letter from Whatley to Bush)(Cottrell, Christa) (Entered: 12/16/2016)
12/16/2016	<u>920</u>	*** WITHDRAWN, pursuant to Order <u>967</u> *** Subscriber Plaintiffs' Motion to Quash Third Party Subpoenas by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Text of Proposed Order)(Ragsdale, Barry) Modified on 1/31/2017 (AVC). (Entered: 12/16/2016)
12/16/2016	<u>921</u>	Provider Plaintiffs' STATUS REPORT by Plaintiffs' Counsel. (Attachments: # <u>1</u> Ex 1, # <u>2</u> Ex 2, # <u>3</u> Ex 3, # <u>4</u> Ex 4, # <u>5</u> Ex 5, # <u>6</u> Ex 6)(Whatley, Joe) (Entered: 12/16/2016)
12/16/2016	<u>922</u>	Subscriber Plaintiffs' Status Report for the December 19, 2016 Conference by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Jones, Megan) (Entered: 12/16/2016)
12/19/2016		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 12/19/2016. (Court Reporter Margaret Wasmund.) (ASL) (Entered: 12/19/2016)
12/20/2016	<u>923</u>	RESPONSE in Opposition re <u>912</u> MOTION to Strike <u>901</u> Response in Opposition to Motion, <i>Grandview Medical Center's Brief in Support of its Appeal and objection to Discovery Order No. 34</i> filed by Grandview Medical Center. (Mays, Joseph) (Entered: 12/20/2016)
12/21/2016	<u>924</u>	RESPONSE to Discovery Request from Blue Cross Blue Shield Association by Sutter Health, Inc..(Sowatzka, Adam) (Entered: 12/21/2016)
12/21/2016	<u>925</u>	MEMORANDUM OPINION. Signed by Judge R David Proctor on 12/21/2016. (KAM,) (Entered: 12/21/2016)
12/21/2016	<u>926</u>	ORDER in accordance with the memo opn entered contemporaneously, This case is before the court on five Motions to Dismiss (e.g., Docs. # 208, 210, 211, 212, 213, Case No. 2:12-cv-02169-RDP), based on personal jurisdiction and venue defenses, that have been filed in four pending Alabama actions; these Motions to Dismiss are DENIED. The court will address the denial of these Motions to Dismiss in subsequent orders in the appropriate related cas. Signed by Judge R David Proctor on 12/21/2016. (KAM,) (Entered: 12/21/2016)

12/22/2016	<u>927</u>		ORDER denying <u>907</u> Motion for Order to Show Cause with regard to the dfts' intention to subpoena providers outside the state of Alabama. Signed by Magistrate Judge T Michael Putnam on 12/22/2016. (KAM,) (Entered: 12/22/2016)
12/27/2016	928		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (Doc. 229) shall be held on Tuesday, January 24, 2017, at 9:00 AM in COURTROOM 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Caucuses to follow. Parties are directed to file, jointly to the extent possible, proposed discovery deadlines no later than Wednesday, January 18, 2017. All other written submissions shall be governed by subsection II.D.2 of Discovery Order No. 1, as amended, unless otherwise ordered by the court. Signed by Magistrate Judge T Michael Putnam on December 27, 2016. (AMP,) (Entered: 12/27/2016)
12/27/2016	<u>929</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>912</u> MOTION to Strike <u>901</u> Response in Opposition to Motion, <i>Grandview Medical Center's Brief in Support of its Appeal and objection to Discovery Order No. 34</i> filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 12/27/2016)
12/28/2016	930		TEXT ORDER. A Special Discovery Status Conference is SET for Monday, January 9, 2017, at 2:00 PM in COURTROOM 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on December 28, 2016. (AMP) (Entered: 12/28/2016)
12/29/2016	<u>931</u>		MOTION to Extend Stay of Discovery Order Deadlines in Discovery Order No. 34 by Grandview Medical Center. (Mays, Joseph) (Entered: 12/29/2016)
12/30/2016	<u>932</u>		JOINDER in Motion to Extend Stay of Discovery Deadlines in Discovery Order No. 34 MOTION by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc. (Kelly, Jeffrey) (Entered: 12/30/2016)
12/30/2016	933		TEXT ORDER –This matter is before the court on Grandview Medical Center's Motion to Extend Stay of Discovery Deadlines in Discovery Order No. 34. <u>931</u> The Motion <u>931</u> is GRANTED . The deadlines in Discovery Order No. 34 are STAYED pending a ruling on the appeals of that order. The court will address the deadlines in any ruling on the appeals. Signed by Judge R David Proctor on 12/30/2016. (AVC) (Entered: 12/30/2016)
01/03/2017	<u>934</u>		Transcript of Proceedings held on December 19, 2016, before Judge T. Michael Putnam. Court Reporter/Transcriber Margaret Wasmund, Telephone number 601–329–6113. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 1/24/2017. Redacted Transcript Deadline set for 2/3/2017.

			Release of Transcript Restriction set for 4/3/2017. (MRR,) (Entered: 01/03/2017)
01/03/2017	935		TEXT ORDER re <u>920</u> Subscriber Plaintiffs' Motion to Quash Third Party Subpoenas, and <u>924</u> Non-Party Sutter Health, Inc.'s Objections to Subpoena Duces Tecum and Subpoena for Rule 30(B)(6) Deposition. Any response to the motions is due no later than January 13, 2017. Any reply by the movants is due no later than January 20, 2017. Argument of the motions will be heard at the Discovery Conference set for Tuesday, January 24, 2017, by Order 928 dated December 27, 2016. Signed by Magistrate Judge T Michael Putnam on January 3, 2017. (AMP,) (Entered: 01/03/2017)
01/03/2017	936		TEXT ORDER re 935 Order Setting Deadlines. The Order is WITHDRAWN as it relates to <u>924</u> Non-Party Sutter Health, Inc.'s Objections to Subpoena Duces Tecum and Subpoena for Rule 30(B)(6) Deposition. Signed by Magistrate Judge T Michael Putnam on January 3, 2017. (AMP) (Entered: 01/03/2017)
01/04/2017	<u>937</u>		STATUS REPORT Regarding Plaintiffs' Motions to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Unstructured and Structured Data by Defendants' Counsel. (Malatesta, John) (Entered: 01/04/2017)
01/05/2017	938		TEXT ORDER —This matter is before the court on the Motion of Certain Defendants for Certification Under 28 U.S.C. § 1292(B) which was filed in the four pending Alabama actions ((1) Conway, et al., v. Blue Cross & Blue Shield of Alabama, et al., Case No. 2:12-cv-02169-RDP (N.D. Ala.); (2) American Electric Motor Services, Inc., et al., v. Blue Cross Blue Shield of Alabama, et al., Case No. 2:12-cv-02532-RDP (N.D. Ala.); (3) Pettus Plumbing & Piping, Inc. v. Blue Cross Blue Shield of Alabama, et al., Case No. 3:16-cv-00297-RDP (N.D. Ala.); and (4) Pearce, Bevill, Leesburg, Moore, P.C. v. Blue Cross Blue Shield of Alabama, et al., Case No. 2:16-cv-00464-RDP (N.D. Ala.)). A status conference to discuss the Motions is SET in Courtroom 7A immediately following the Special Discovery Status Conference before Judge Putnam on Monday, January 9, 2017 . Signed by Judge R David Proctor on 1/5/2017. (AVC) (Entered: 01/05/2017)
01/05/2017	<u>939</u>		STATUS REPORT Regarding Motion to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Unstructured Data by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 01/05/2017)
01/09/2017	<u>940</u>		Blue Cross Blue Shield of Alabama's REPLY to <u>939</u> Plaintiffs' Status Report Regarding Motion to Compel filed by Defendants' Counsel. (Malatesta, John) (Entered: 01/09/2017)
01/09/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 1/9/2017 re <u>847</u> <u>849</u> MOTIONS; arguments by counsel; court's remarks; order to be entered; hrg adj (Court Reporter Julie Martin.) (ASL) (Entered: 01/09/2017)
01/10/2017	<u>941</u>		POST-HEARING Submission of Amended Proposed Order Granting Plaintiffs' Motion to Compel Blue Cross Blue Shield of Alabama to Produce Unstructured Data. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 01/10/2017)

01/11/2017	<u>942</u>		Unopposed MOTION to Stay Deadlines for Responding to the Amended Complaints by Defendants' Counsel. (Hoover, Craig) (Entered: 01/11/2017)
01/11/2017	<u>943</u>		DISCOVERY ORDER No. 37–The Motion to Compel <u>847</u> is GRANTED. Signed by Magistrate Judge T Michael Putnam on 1/11/2017. (AVC) (Entered: 01/11/2017)
01/12/2017	<u>944</u>		ORDER–re: Unopposed Motion to Stay Deadlines for Responding to the Amended Complaints <u>942</u> . The Motion is GRANTED. It is hereby ORDERED that all deadlines set forth in the court's December 15 Order 915 are STAYED. Signed by Judge R David Proctor on 1/12/2017. (AVC) (Entered: 01/12/2017)
01/12/2017	<u>945</u>		MOTION to Compel Anthem to Produce Documents Related to the Anthem–Cigna Merger Litigation by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Whatley, Joe) (Entered: 01/12/2017)
01/13/2017	<u>946</u>		RESPONSE to <u>920</u> Motion to Quash Subpoenas to Proposed Class Members <i>Redacted</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – Email Compilation re Subpoenas, # <u>2</u> Exhibit F – 6/9/2016 Letter from Cottrell to Ragsdale, # <u>3</u> Exhibit G – 6/14/2016 Letter from Ragsdale to Cottrell)(Cottrell, Christa) (Entered: 01/13/2017)
01/13/2017	<u>947</u>		MOTION to Maintain the Seal on its Response to Plaintiffs' Motion to Quash Subpoenas to Proposed Class Members by Defendants' Counsel. (Cottrell, Christa) (Entered: 01/13/2017)
01/17/2017	948		TEXT ORDER –This matter is SET for a telephone conference at 9:00 a.m. Central time on Tuesday, January 31, 2017 , to discuss Economics Day part 2. The Special Master will provide a call in number for the conference. Signed by Judge R David Proctor on 1/17/2017. (AVC) (Entered: 01/17/2017)
01/17/2017	<u>949</u>		JOINT STATUS REPORT on Non–Party Insurers Productions by Plaintiffs' Counsel. (Sheehan, Patrick) (Entered: 01/17/2017)
01/17/2017	<u>950</u>		STATUS REPORT of Third–Party Managed Care Companies filed by AETNA, Inc. (Wells, H) (Entered: 01/17/2017)
01/18/2017	<u>951</u>		***Document Sealed –Response to Plaintiff's Motion to Quash Subpoenas to Proposed Class Members. (AVC) (Entered: 01/18/2017)
01/18/2017	<u>952</u>		MOTION for Clarification of Discovery Order No. 37 by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 01/18/2017)
01/19/2017	<u>953</u>		JOINT STATUS REPORT Regarding Schedule by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ragsdale, Barry) (Entered: 01/19/2017)
01/19/2017	<u>954</u>		STATUS REPORT for January 24, 2017 Discovery Conference by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Hoover, Craig) (Entered: 01/19/2017)
01/20/2017	<u>955</u>		

		ORDER REGARDING OBJECTIONS TO DISCOVERY ORDER NO. 34—Nothing in Discovery Order No. 34 is either clearly erroneous or contrary to law. Dfts' Rule 72 Objection to Discovery Order No. 34 <u>845</u> is OVERRULED IN PART AND SUSTAINED IN PART . The non-party targets' Objections to Discovery Order No. 34 <u>851</u> – <u>853</u> are OVERRULED as not properly presented to the court. Dfts' Motion to Strike Grandview Medical Center's Brief in Support of its Appeal and Objection to Discovery Order No. 34 <u>912</u> is DENIED . Signed by Judge R David Proctor on 1/20/2017. (AVC) (Entered: 01/20/2017)
01/20/2017	<u>956</u>	Opposition to <u>945</u> Plaintiff's Motion to Compel Anthem to Produce Documents Related to the Anthem–Cigna Merger Litigation filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Hoover, Craig) (Entered: 01/20/2017)
01/20/2017	<u>957</u>	Provider Plaintiffs' Response to <u>950</u> Status Report of Third–Party Managed Care Companies filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Sheehan, Patrick) (Entered: 01/20/2017)
01/20/2017	<u>958</u>	Subscriber Plaintiffs' Reply Regarding <u>920</u> Motion to Quash Absent Class Member Subpoenas filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 01/20/2017)
01/23/2017	<u>959</u>	MOTION to Amend Scheduling Order by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 01/23/2017)
01/24/2017	<u>960</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2016 through December 31, 2016 in this matter as it relates to services rendered for both sides of the case, and totaling \$10,000.00. Signed by Judge R David Proctor on 1/24/2017. (AVC) (Entered: 01/24/2017)
01/24/2017	<u>961</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2016 through December 31, 2016 in this matter relating solely to services provided to the Plaintiffs, and totaling \$50,800.00. Signed by Judge R David Proctor on 1/24/2017. (AVC) (Entered: 01/24/2017)
01/24/2017	<u>962</u>	NOTICE of Change of Address by Charles C Hunter (Hunter, Charles) (Entered: 01/24/2017)
01/24/2017		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 1/24/2017; Motions <u>849</u> , <u>801</u> , <u>846</u> , <u>920</u> , <u>945</u> , <u>952</u> ; arguments by counsel; discovery status updates; hrg adj. (Court Reporter Lindy Fuller.) (ASL) (Entered: 01/24/2017)
01/24/2017	<u>963</u>	NOTICE of Supplemental Authority in Support of <u>945</u> Plaintiffs' Motion to Compel Anthem to Produce Documents Related to the Anthem–Cigna Merger Litigation by Plaintiffs' Liaison Counsel.(Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 01/24/2017)
01/25/2017	<u>964</u>	RESPONSE to <u>963</u> Plaintiffs' Notice of Supplemental Authority in Support of Plaintiffs' Motion to Compel Anthem to Produce Documents Related to the Anthem–Cigna Merger Litigation filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1)(Hoover, Craig) (Entered: 01/25/2017)

01/30/2017	<u>965</u>		Certain Defendants' Opposition to <u>959</u> Motion to Amend Scheduling Order filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 01/30/2017)
01/30/2017	<u>966</u>		Transcript of Proceedings held on 1/24/2017, before Magistrate Judge T. Michael Putnam. Court Reporter/Transcriber Lindy M. Fuller, Telephone number (205) 527-2958. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/20/2017. Redacted Transcript Deadline set for 3/2/2017. Release of Transcript Restriction set for 4/30/2017. (AVC) (Entered: 01/30/2017)
01/31/2017	<u>967</u>		ORDER –Pursuant to the discussion at the Discovery Conference held on 1/24/2017, Subscriber Pltfs' Motion to Quash Third Party Subpoenas <u>920</u> is WITHDRAWN as set out in the Subscriber Pltfs' Reply Regarding Motion to Quash Absent Class Member Subpoenas <u>958</u> . Signed by Magistrate Judge T Michael Putnam on 1/31/2017. (AVC) (Entered: 01/31/2017)
01/31/2017	<u>968</u>		DISCOVERY ORDER No. 38– Signed by Magistrate Judge T Michael Putnam on 1/31/2017. (AVC) (Entered: 01/31/2017)
01/31/2017	<u>969</u>		DISCOVERY ORDER No. 39–The Motion to Compel Production of Documents from Non–Alabama Names Provider Plaintiffs <u>846</u> is GRANTED, and the provider plaintiffs are ORDERED to produce to the defendants unstructured and structured data by 3/1/2017. Signed by Magistrate Judge T Michael Putnam on 1/31/2017. (AVC) (Entered: 01/31/2017)
01/31/2017	<u>970</u>		DISCOVERY ORDER No. 40–The Motion to Compel Anthem to Produce Documents Related to the Anthem–Cigna Merger Litigation <u>945</u> is GRANTED insofar as Anthem is ORDERED to produce the documents set out. Production is to be made by 2/20/2017. In all other respects, the motion is DENIED. Signed by Magistrate Judge T Michael Putnam on 1/31/2017. (AVC) (Entered: 01/31/2017)
01/31/2017	<u>971</u>		DISCOVERY ORDER No. 41–re: Motion for Clarification of Discovery Order No. 37 <u>952</u> . Blue Cross Blue Shield of Alabama is ORDERED to produce responsive documents <i>from the sample set</i> that are retrieved by search strings with a responsive rate of greater than 0% but less than 4%. Production of the documents shall be made by 2/24/2017. Signed by Magistrate Judge T Michael Putnam on 1/31/2017. (AVC) (Entered: 01/31/2017)
01/31/2017	<u>972</u>		DISCOVERY ORDER No. 42–The deadline for discovery in both the Multidistrict Litigation and the streamlined action is extended to 9/25/2017. Any remaining deadlines for filing will be set by the district judge. Signed by Magistrate Judge T Michael Putnam on 1/31/2017. (AVC) (Entered: 01/31/2017)

			01/31/2017)
02/01/2017	<u>973</u>		MOTION to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Eddie Harris for Deposition and for an Order Setting Parameters for Discovery Scheduling by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 02/01/2017)
02/03/2017	<u>974</u>		Transcript of Proceedings held on 1/31/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/24/2017. Redacted Transcript Deadline set for 3/6/2017. Release of Transcript Restriction set for 5/4/2017. (AVC) (Entered: 02/03/2017)
02/03/2017	<u>975</u>		CORRECTED Transcript of Proceedings held on 1/31/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner, Telephone number (256) 656-8239. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/24/2017. Redacted Transcript Deadline set for 3/6/2017. Release of Transcript Restriction set for 5/4/2017. (AVC) (Entered: 02/03/2017)
02/06/2017	<u>976</u>		REPLY in Support of <u>959</u> Motion to Amend Scheduling Order filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/06/2017)
02/06/2017	<u>977</u>		Provider Plaintiff's STATUS REPORT by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/06/2017)
02/07/2017	978		TEXT ORDER re <u>973</u> MOTION to Compel Defendant Blue Cross Blue Shield of Alabama to Produce Eddie Harris for Deposition and for an Order Setting Parameters for Discovery Scheduling filed by Plaintiffs' Counsel. Any response to the motion by Blue Cross Blue Shield of Alabama is due by February 10, 2017. Signed by Magistrate Judge T Michael Putnam on February 7, 2017. (AMP) (Entered: 02/07/2017)
02/07/2017	<u>979</u>		

		Defendants' MOTION to Remove the Seal on their <u>946</u> Response to Plaintiffs' Motion to Quash Subpoenas to Proposed Class Members by Defendants' Counsel. (Cottrell, Christa) (Entered: 02/07/2017)
02/07/2017	<u>980</u>	MOTION to Withdraw as Attorney by Quintiles IMS Incorporated, f/k/a IMS Health Incorporated, SK&A Information Services, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Walworth, Daniel) (Entered: 02/07/2017)
02/08/2017	981	TEXT ORDER —This matter is before the court on Defendants' Motion to Remove the Seal on their Response to Plaintiffs' Motion to Quash Subpoenas to Proposed Class Members. <u>979</u> The Motion <u>979</u> is GRANTED . The Clerk of the Court is directed to UNSEAL the unredacted version of Defendants' Response to Plaintiffs' Motion to Quash Subpoenas to Proposed Class Members. <u>951</u> In light of Defendant's Motion <u>979</u> , its earlier Motion to Maintain the Seal <u>947</u> is MOOT . Signed by Judge R David Proctor on 2/8/2017. (AVC) (Entered: 02/08/2017)
02/08/2017	982	TEXT ORDER —This matter is before the Court on Non–parties SK&A Information Services, Inc. and Quintiles IMS Incorporated, f/k/a IMS Health Incorporateds Motion for Leave to Withdraw Appearance. <u>980</u> The Motion <u>980</u> is GRANTED . The Clerk of Court is directed to terminate Non–parties SK&A Information Services, Inc. and Quintiles IMS Incorporated, f/k/a IMS Health Incorporated, as well as attorney Daniel R. Walworth. Signed by Judge R David Proctor on 2/8/2017. (AVC) (Entered: 02/08/2017)
02/08/2017	<u>983</u>	MOTION for Extension of Time to Produce Non–Alabama Named Provider Plaintiffs' Discovery by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 02/08/2017)
02/09/2017	984	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Tuesday, February 28, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on February 9, 2017. (AMP) (Entered: 02/09/2017)
02/09/2017	985	TEXT ORDER re <u>983</u> MOTION for Extension of Time to Produce Non–Alabama Named Provider Plaintiffs' Discovery. The defendants have until February 15, 2017, to notify the court whether the motion is opposed. Signed by Magistrate Judge T Michael Putnam on February 9, 2017. (AMP) (Entered: 02/09/2017)
02/10/2017	<u>986</u>	ORDER SETTING STATUS MARCH CONFERENCE for 3/24/2017 at 09:00a.m., in Courtroom 7A of the Hugo L Black US Courthouse. By 3/20/2017, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. The Special Master will provide a call in number for the conference. Signed by Judge R David Proctor on 2/10/2017. (AVC) (Entered: 02/10/2017)
02/10/2017	<u>987</u>	RESPONSE <u>977</u> Plaintiffs' Status Report filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 10/21/2016 Brown Letter to Salomon, # <u>2</u> Exhibit B – 2/6/2017 Brown Letter to Salomon)(Cottrell, Christa) (Entered: 02/10/2017)

02/10/2017	<u>988</u>		RESPONSE to <u>973</u> Motion to Compel Production of Eddie Harris for Deposition and for an Order Setting Parameters for Discovery Scheduling filed by Defendants' Counsel. (Burkhalter, Carl) (Entered: 02/10/2017)
02/13/2017	<u>989</u>		SECOND AMENDED SCHEDULING ORDER—It is ORDERED that the schedule SHALL apply to the prioritized proceedings in <i>American Electric Motor Services Inc. v. Blue Cross and Blue Shield of Alabama et al.</i> , <i>Conway v. Blue Cross and Blue Shield of Alabama et al.</i> , and <i>Pettus Plumbing & Piping, Inc., v. Blue Cross Blue Shield of Alabama et al.</i> as set out. Pltf's Motion to Amend Scheduling Order <u>959</u> is GRANTED. Signed by Judge R David Proctor on 2/13/2017. (AVC) (Entered: 02/13/2017)
02/14/2017	<u>990</u>		MEMORANDUM OPINION. Signed by Judge R David Proctor on 2/14/2017. (AVC) (Entered: 02/14/2017)
02/14/2017	<u>991</u>		DISCOVERY ORDER No. 43—Motion to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Eddie Harris for Deposition and for an Order Setting Parameters for Discovery Scheduling <u>973</u> is GRANTED. Blue Cross Blue Shield of Alabama is DIRECTED to produce all remaining documents related to Eddie Harris no later than 2/16/2017, and to make Mr. Harris available to sit for a deposition on 3/2/2017. Signed by Magistrate Judge T Michael Putnam on 2/14/2017. (AVC) (Entered: 02/14/2017)
02/14/2017	<u>992</u>		RESPONSE to <u>983</u> Provider Plaintiffs' Motion for Extension of Time to Produce Non—Alabama Provider Plaintiffs' Discovery filed by Defendants' Counsel. (Zott, David) (Entered: 02/14/2017)
02/15/2017	<u>993</u>		ORDER AMENDING DISCOVERY ORDER No. 39—re: Motion for Extension of Time to Produce Non—Alabama Named Provider Plaintiffs' Discovery <u>983</u> . Discovery Order No. 39 is AMENDED: The provider pltfs are ORDERED to produce to the dfts unstructured and structured data requested from the non—Alabama named provider pltfs by 3/29/2017. The provider pltfs also are ORDERED to provide proposed custodians and search terms to the dfts by 2/22/2017. Signed by Magistrate Judge T Michael Putnam on 2/15/2017. (AVC) (Entered: 02/15/2017)
02/16/2017	<u>994</u>		ORDER— re: Objections and Motions to Quash Subpoenas <u>883</u> , <u>884</u> , <u>885</u> , <u>886</u> . The provider plaintiffs and non—party movants are DIRECTED to file with the court, by 2/24/2017, briefs addressing why the subpoenas issued by the provider plaintiffs require a different ruling than what already was adjudicated in Discovery Order No. 34 <u>832</u> and Judge Proctor's Order Regarding Objections to Discovery Order No. 34 <u>955</u> . Oral argument on this issue and the motions will be heard at the Discovery Status Conference set for 2/28/2017 at 1:00p.m. Signed by Magistrate Judge T Michael Putnam on 2/16/2017. (AVC) (Entered: 02/16/2017)
02/17/2017	<u>995</u>		Provider Plaintiffs' Status Report on Non—Party Insurers' Productions by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Sheehan, Patrick) (Entered: 02/17/2017)
02/17/2017	<u>996</u>		***Document Sealed —Motion to Compel Production of Documents and Data from Third—Party National Insurers. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8 Part 1, # <u>9</u> Exhibit 8 Part 2, # <u>10</u> Exhibit 8 Part 3, # <u>11</u> Exhibit 8 Part 4, # <u>12</u> Exhibit 8 Part 5, # <u>13</u> Exhibit 8 Part 6, # <u>14</u> Exhibit 8 Part 7, # <u>15</u>

		Exhibit 8 Part 8, # <u>16</u> Exhibit 8 Part 9, # <u>17</u> Exhibit 8 Part 10, # <u>18</u> Exhibit 8 Part 11, # <u>19</u> Exhibit 9, # <u>20</u> Exhibit 10) (AVC) (Entered: 02/21/2017)
02/23/2017	<u>997</u>	MEMORANDUM OPINION. Signed by Judge R David Proctor on 2/23/2017. (JLC) (Entered: 02/23/2017)
02/23/2017	<u>998</u>	ORDER GRANTING <u>733</u> AMENDED and RESTATED MOTION Based on Filed Rate Doctrine for Summary Judgment on the Alabama Subscribers' Damages Claims to the extent that the money damages claims of Plaintiffs CB Roofing, Inc. and American Electric Motor Service, Inc. against all Defendants are DISMISSED WITH PREJUDICE. In all other respects, the <u>733</u> Motion is DENIED, GRANTING <u>770</u> Cross MOTION for Partial Summary Judgment to the extent that the Filed Rate affirmative defense is UNAVAILABLE as a defense to the claims of any Subscriber Plaintiff who paid a rate that varied upward from the filed rate. In all other respects, the <u>770</u> Motion is DENIED in accordance with the <u>997</u> Memorandum Opinion entered contemporaneously herewith. Signed by Judge R David Proctor on 2/23/2017. (JLC) (Entered: 02/23/2017)
02/23/2017	<u>999</u>	ORDER UNSEALING CERTAIN DOCUMENTS; The Clerk of the Court is hereby directed to unseal the following documents and/or exhibits as set out herein: Document 685-2, Document 685-3, Document 729-1, Document 729-2, Document 729-7, Document 729-8, Document 729-9, Document 738, Documents 738-2 through Document 738-87, Document 771, and Documents 773-1 through 773-12. Signed by Judge R David Proctor on 2/23/2017. (JLC) (Entered: 02/23/2017)
02/24/2017	<u>1000</u>	RESPONSE to <u>994</u> Order Regarding Non-Party Subpoenas Issued by Provider Plaintiffs filed by Health Care Authority of the City of Huntsville, Russellville Hospital, Inc.. (Kelly, Jeffrey) (Entered: 02/24/2017)
02/24/2017	<u>1001</u>	JOINT Opposition to <u>996</u> Motion to Compel and Joint Response to <u>995</u> Provider Plaintiffs' Status Report filed by AETNA, Inc., CIGNA Health and Life Insurance Company, Humana Inc., UnitedHealth Group Incorporated. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Wells, H) (Entered: 02/24/2017)
02/24/2017	<u>1002</u>	SUBMISSION in Response to <u>994</u> the Court's Order filed by Grandview Medical Center. (Mays, Joseph) (Entered: 02/24/2017)
02/24/2017	<u>1003</u>	MOTION to Compel Production of Documents and Data from Third-Party National Insurers by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Supplement Letter Brief)(Campbell, Andrew) (Entered: 02/24/2017)
02/24/2017	<u>1004</u>	RESPONSE to Order Regarding Non-Party Subpoenas Issued by Provider Plaintiffs by Andrews Sports Medicine and Orthopaedic Center, LLC. (Wilson, Benjamin) (Entered: 02/24/2017)
02/24/2017	<u>1005</u>	Subscriber Plaintiffs' Position Paper Regarding Status of Discovery Requests From Third Party Insurers by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ragsdale, Barry) (Entered: 02/24/2017)

02/24/2017	<u>1006</u>		Provider Plaintiffs' RESPONSE to <u>994</u> the Court's February 16, 2017 Order Regarding Non-Party Subpoenas filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 02/24/2017)
02/27/2017	<u>1007</u>		Subscriber Plaintiffs' STATUS REPORT by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 02/27/2017)
02/27/2017	<u>1008</u>		Blue Cross Blue Shield of Alabama STATUS REPORT by Defendants' Counsel. (Malatesta, John) (Entered: 02/27/2017)
02/28/2017	<u>1009</u>		Statement Regarding the Objecting Non-Party Alabama Providers' Responses to Provider Plaintiffs' Subpoenas filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Campbell, Andrew) (Entered: 02/28/2017)
02/28/2017	<u>1010</u>		***Document Sealed-Supplemental Filing in Support of Defendants' Motion to Compel Production of Documents and Data from Third-Party National Insurers. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (AVC) (Entered: 02/28/2017)
02/28/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 2/28/2017. (Court Reporter Sabrina Lewis) (ASL) (Entered: 02/28/2017)
03/01/2017	<u>1011</u>		ORDER-The Motions to Quash Subpoenas <u>883</u> , <u>884</u> , <u>885</u> , <u>886</u> are MOOT without prejudice to the movant's ability to refile the motions, should attempts to reach an agreement fail. Signed by Magistrate Judge T Michael Putnam on 3/1/2017. (AVC) (Entered: 03/01/2017)
03/01/2017	<u>1012</u>		ORDER AMENDING DISCOVERY ORDER No. 42-The deadline for discovery in the streamlined action is extended to 9/25/2017. Signed by Magistrate Judge T Michael Putnam on 3/1/2017. (AVC) (Entered: 03/01/2017)
03/01/2017	<u>1013</u>		Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 03/01/2017)
03/03/2017	1014		TEXT ORDER re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data filed by Plaintiffs' Liaison Counsel. Any response to the motion is due no later than March 10, 2017. Signed by Magistrate Judge T Michael Putnam on March 3, 2017. (AMP) (Entered: 03/03/2017)
03/03/2017	1015		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Friday, March 24, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on March 3, 2017. (AMP) (Entered: 03/03/2017)
03/07/2017	<u>1016</u>		

		NOTICE (Letter) by Defendants' Counsel re <u>1010</u> Document Sealed <i>Justification</i> (Campbell, Andrew) Modified on 3/9/2017 (KAM,). (Entered: 03/07/2017)
03/08/2017	<u>1017</u>	TEXT ORDER —This matter is before the court on Defendants' Notice <u>1016</u> that document number 1010 and the exhibits thereto need not be sealed. The clerk of the court is directed to UNSEAL document number 1010 and the exhibits thereto. <u>1010</u> [1010–1] [1010–2] [1010–3] [1010–4]. Signed by Judge R David Proctor on 3/8/2017. (AVC) (Entered: 03/08/2017)
03/08/2017	<u>1018</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/08/2017)
03/09/2017	<u>1019</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/09/2017)
03/09/2017	<u>1020</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/09/2017)
03/09/2017	<u>1021</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/09/2017)
03/09/2017	<u>1022</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/09/2017)
03/10/2017	<u>1023</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/10/2017)
03/10/2017	<u>1024</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/10/2017)
03/10/2017	<u>1025</u>	NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (Ragsdale, Barry) (Entered: 03/10/2017)
03/10/2017	<u>1026</u>	RESPONSE in Opposition re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data (<i>as to Hogan Lovells plans</i>) filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Hoover, Craig) (Entered: 03/10/2017)

03/13/2017	1027		TEXT ORDER re <u>1013</u> Subscriber Plaintiffs' Motion to Compel Production of Explanatory Information Accompanying Structured Data. (Doc. 1013). After reviewing the defendants' production, plaintiffs are directed to update their motion to specify what explanatory information remains to be produced. The plaintiffs' update shall be filed no later than noon on Wednesday, March 22, 2017. The Hogan Lovells Defendants may respond to the plaintiffs' update no later than noon on March 24, 2017. Oral argument on the updated motion will be heard at the Discovery Conference set for Friday, March 24, 2017. Signed by Magistrate Judge T Michael Putnam on March 13, 2017. (AMP,) (Entered: 03/13/2017)
03/13/2017	<u>1028</u>		MOTION to Compel the Provision of Supplemental Search Term Proposals by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Hoover, Craig) (Entered: 03/13/2017)
03/14/2017	<u>1029</u>		MOTION for Extension of Time <i>for BlueCross BlueShield of Tennessee to Produce Non-Claims Structured Data</i> by Defendants' Counsel. (Miller, Margot) (Entered: 03/14/2017)
03/14/2017	<u>1030</u>		MOTION for Extension of Time <i>for the Production of Non-Claims Structured Data</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Briggs, John) (Entered: 03/14/2017)
03/14/2017	<u>1031</u>		First MOTION for Extension of Time <i>to Substantially Complete Production of Non-Claims Structured Data (as to Hogan Lovells Plans and BCBS-MI)</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Hoover, Craig) (Entered: 03/14/2017)
03/15/2017	1032		TEXT ORDER. This matter is before the court on three motions to extend Judge Proctor's March 15, 2017 deadline to substantially complete production of non-claims structured data. <u>1029</u> <u>1030</u> <u>1031</u> . The parties SHALL continue their efforts to reach an agreement as to an extended deadline. On or before March 22, 2017, Plaintiffs SHALL file a report summarizing their position on the Motions, or a report on any agreement if one has been reached by that time. The parties also should be prepared to provide a report to the court on this issue at Judge Putnam's March 24, 2017 discovery conference. Signed by Magistrate Judge T Michael Putnam on March 15, 2017. (AMP,) (Entered: 03/15/2017)
03/15/2017	<u>1033</u>		MOTION for Extension of Time <i>to Substantially Produce Non-Claims Structured Data by California Physicians' Services</i> by Defendants' Counsel. (Fronk, Casey) (Entered: 03/15/2017)
03/15/2017	<u>1034</u>		MOTION for Extension of Time <i>to Substantially Produce Non-Claims Structured Data (as to USABLE Mutual Insurance Company, d/b/a Arkansas Blue Cross and Blue Shield)</i> by Defendants' Counsel. (Naranjo, Michael) (Entered: 03/15/2017)
03/16/2017	1035		TEXT ORDER re <u>1033</u> MOTION for Extension of Time, and <u>1034</u> MOTION for Extension of Time. The parties are notified that these motions also are subject to the instructions set out in the Text Order dated March 15, 2017 <u>1032</u> . Signed by Magistrate Judge T Michael Putnam on March 16, 2017. (AMP) (Entered: 03/16/2017)

03/21/2017	<u>1036</u>		NOTICE by Defendants' Counsel re <u>1028</u> MOTION to Compel the Provision of Supplemental Search Term Proposals (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 03/21/2017)
03/21/2017	<u>1037</u>		Transcript of Proceedings held on 1/9/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Julie A. Martin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/11/2017. Redacted Transcript Deadline set for 4/21/2017. Release of Transcript Restriction set for 6/19/2017. (KAM,) (Entered: 03/21/2017)
03/21/2017	<u>1038</u>		Transcript of Proceedings held on 2/28/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number 205-278-2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/11/2017. Redacted Transcript Deadline set for 4/21/2017. Release of Transcript Restriction set for 6/19/2017. (JLC) (Entered: 03/21/2017)
03/21/2017	<u>1039</u>		ORDER SETTING INTERIM DEADLINE FOR THE PROVISION OF SUPPLEMENTAL SEARCH TERM PROPOSALS—re: Motion to Compel the Provision of Supplemental Search Term Proposals <u>1028</u> . It is ORDERED that Section 7 of the Second Amended Discovery Order is AMENDED as set out. Signed by Judge R David Proctor on 3/21/2017. (AVC) (Entered: 03/21/2017)
03/22/2017	<u>1040</u>		DISCOVERY ORDER No. 44. Signed by Magistrate Judge T Michael Putnam on 3/22/2017. (AVC) (Entered: 03/22/2017)
03/22/2017	<u>1041</u>		Subscriber Plaintiffs' Update Regarding Motion to Compel Production of Explanatory Information Accompanying Structured Data by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 03/22/2017)
03/22/2017	<u>1042</u>		STATUS REPORT <i>Defendants Status Report Regarding Non-Party Alabama Provider Discovery</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit Stenerson to Kelly re BCBSM Subpoena to Huntsville, # <u>2</u> Exhibit Stenerson to Kelly re BCBSM Subpoena to

			Russellville, # <u>3</u> Exhibit Stenerson to Kelly re BCBSM Subpoena to Grandview, # <u>4</u> Exhibit Stenerson to Kelly re BCBSM Subpoena to Andrews, # <u>5</u> Exhibit Stenerson to Kelly re BCBSM Subpoena to Dr. Waits, # <u>6</u> Exhibit Brown to Stenerson re Waits Costs, # <u>7</u> Exhibit Kelly to Stenerson re Huntsville Costs, # <u>8</u> Exhibit Kelly to Stenerson re Russellville Costs, # <u>9</u> Exhibit Mays to Stenerson re Grandview Costs, # <u>10</u> Exhibit Stenerson to Kelly re Huntsville Invoice, # <u>11</u> Exhibit Stenerson to Kelly re Russellville Invoice, # <u>12</u> Exhibit Stenerson to Mays re Grandview Invoice, # <u>13</u> Exhibit Stenerson to Brown re Waits & Cahaba Invoice, # <u>14</u> Exhibit Stenerson to Wilson re Andrews Production Status)(Campbell, Andrew) (Entered: 03/22/2017)
03/22/2017	<u>1043</u>		ORDER APPROVING SPEICAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from January 1, 2017 through February 28, 2017 in this matter as it relates to services rendered for both sides of the case, and totaling \$11,000.00. Signed by Judge R David Proctor on 3/22/2017. (KAM) (Entered: 03/22/2017)
03/22/2017	<u>1044</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENTfor services rendered and expenses incurred from January 1, 2017 through February 28, 2017 in this matter relating solely to services provided to the Plaintiffs, and totaling \$65,600.00. Signed by Judge R David Proctor on 3/22/2017. (KAM) (Entered: 03/22/2017)
03/22/2017	<u>1045</u>		STATUS REPORT <i>Regarding Subscriber Plaintiffs' Position on Defendants' Motions to Extend the Time to Substantially Produce Non-Claims Structured Data</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 03/22/2017)
03/23/2017	<u>1046</u>		Subscriber Plaintiffs' MOTION for Reconsideration of <u>998</u> Order Regarding Filed Rate Summary Judgment Motions by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 03/23/2017)
03/24/2017	<u>1047</u>		RESPONSE to Subscribers' Status Report on Production of Explanatory Information filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Kimble, Cavender) (Entered: 03/24/2017)
03/24/2017	<u>1048</u>		RESPONSE to <u>1042</u> Status Report Regarding Non-Party Alabama Provider Discovery filed by Grandview Medical Center. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mays, Joseph) (Entered: 03/24/2017)
03/24/2017	<u>1049</u>		ORDER SETTING APRIL STATUS CONFERENCE – Status Conference set for 4/21/2017 09:00 AM before Judge R David Proctor. On or before Friday, April 14, 2017, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference.The Special Master will provide a call in number for the conference.. Signed by Judge R David Proctor on 3/24/2017. (KAM,) (Entered: 03/24/2017)
03/24/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 3/24/2017. (Court Reporter Sabrina Lewis) (ASL) (Entered: 03/24/2017)
03/27/2017	<u>1050</u>		

			DISCOVERY ORDER No. 45–Motion to Compel Production <u>1013</u> is GRANTED IN PART and DENIED IN PART as set out. The Motions for Extension of Time <u>1029</u> , <u>1030</u> , <u>1031</u> , <u>1033</u> , and <u>1034</u> are GRANTED. Signed by Magistrate Judge T Michael Putnam on 3/27/2017. (AVC) (Entered: 03/27/2017)
03/29/2017	<u>1051</u>		MOTION for an Extension of the March 29, 2017 Deadline to Produce Non–Alabama Named Provider Plaintiffs' Discovery by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 03/29/2017)
04/03/2017	<u>1052</u>		Subscriber Plaintiffs' NOTICE of Supplemental Authority in Advance of Economics Day II by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Hellums, Christopher) (Entered: 04/03/2017)
04/05/2017	<u>1053</u>		MOTION for Reconsideration of Discovery Order No. 44 <u>1040</u> or, Alternatively, to Enlarge the Deadline for Objecting to Such Order by Health Care Cost Institute, Inc. (Attachments: # <u>1</u> Exhibit A)(Mays, Joseph) (Entered: 04/05/2017)
04/05/2017	<u>1054</u>		MOTION to File Under Seal by Humana Inc.. (Turner, Sara) (Entered: 04/05/2017)
04/05/2017	1055		TEXT ORDER –This matter is before the court on Non–Party Humana Inc.'s Motion to File Under Seal. <u>1054</u> Humana contends the Objection and an attachment contain proprietary and confidential business information regarding Humanas technical systems and IT infrastructure. Because it appears the material sought to be filed under seal relates to a discovery issue, rather than a merits issue, the Motion <u>1054</u> is GRANTED . Humana is granted leave to file its Rule 72 Objection and the Declaration of Heather Kolasinsky under seal. Signed by Judge R David Proctor on 4/5/2017. (AVC) (Entered: 04/05/2017)
04/05/2017	1056		TEXT ORDER –This matter is before the court on Subscriber Plaintiffs' Motion for Reconsideration of Order Regarding Filed Rate Summary Judgment Motions. <u>1046</u> Defendants' Response to the Motion is due on or before April 6, 2017 . Any Reply by Subscriber Plaintiffs is due on or before April 12, 2017 . Signed by Judge R David Proctor on 4/5/2017. (AVC) (Entered: 04/05/2017)
04/05/2017	<u>1057</u>		***Document Sealed –Non–Party Humana Inc.'s Rule 72 Objection to Discovery Order No. 44. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (AVC) (Entered: 04/05/2017)
04/05/2017	<u>1058</u>		Defendants' Rule 72 Objection to Discovery Order No. 44 by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Campbell, Andrew) Modified on 6/28/2017 (KAM,). (Entered: 04/05/2017)
04/06/2017	1059		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Friday, April 21, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on April 6, 2017. (AMP) (Entered: 04/06/2017)

04/06/2017	1060		TEXT ORDER re <u>1053</u> MOTION for Reconsideration of Discovery Order No. 44 <u>1040</u> or, Alternatively, to Enlarge the Deadline for Objecting to Such Order filed by <i>Health Care Cost Institute, Inc.</i> . Any response to the motion is due no later than Tuesday, April 18, 2017. Argument on the motion will be heard at the Discovery Status Conference set for Friday, April 21, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on April 6, 2017. (AMP) (Entered: 04/06/2017)
04/06/2017	<u>1061</u>		Opposition to <u>1046</u> Plaintiffs' MOTION for Reconsideration of Order Regarding Filed Rate Summary Judgment Motions filed by Defendants' Counsel. (Hoover, Craig) (Entered: 04/06/2017)
04/07/2017	<u>1062</u>		NOTICE of Filing by Defendants' Counsel (Attachments: # <u>1</u> Exhibit A)(Hoover, Craig) (Entered: 04/07/2017)
04/07/2017	<u>1063</u>		Joint MOTION to Stay Discovery Deadlines in Discovery Order No. 44 by CIGNA Health and Life Insurance Company. (Weller, Christopher) (Entered: 04/07/2017)
04/07/2017	<u>1064</u>		Provider Plaintiffs' MOTION for Order Directing Provider Plaintiffs and Subscriber Plaintiffs to Proceed on Separate Tracks for All Discovery Purposes by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 04/07/2017)
04/07/2017	<u>1065</u>		Subscriber Plaintiffs' MOTION Concerning Certain Deposition Time Limitations by Plaintiffs' Counsel. (Hellums, Christopher) See Discovery order 46 Modified on 5/11/2017 (KAM,). (Entered: 04/07/2017)
04/07/2017	<u>1066</u>		MOTION to Clarify Discovery Order No. 45 by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 04/07/2017)
04/12/2017	<u>1067</u>		Subscriber Plaintiffs' REPLY in Support of <u>1046</u> Motion for Reconsideration of Order Regarding Filed Rate Summary Judgment Motions filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 04/12/2017)
04/14/2017	<u>1068</u>		REPORT Regarding Proposed Agenda for Status Conference on April 21, 2017 by Special Master. (Gentle, Edgar) (Entered: 04/14/2017)
04/14/2017	1069		TEXT ORDER re 1059 . The Discovery Conference set for Friday, April 21, 2017, will begin immediately following Judge Proctor's April Status Conference and caucuses. Signed by Magistrate Judge T Michael Putnam on April 14, 2017. (AMP) (Entered: 04/14/2017)
04/14/2017	<u>1070</u>		MOTION for Leave to File <i>Amend</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit Second Amended Class Action Complaint, # <u>2</u> Certificate of Service)(Hatch, Robert) (Entered: 04/14/2017)
04/14/2017	<u>1071</u>		STATUS REPORT <i>Joint Status Report Pursuant to Discovery Order 45</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 04/14/2017)
04/17/2017	<u>1072</u>		

		NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel <i>Subscriber Plaintiffs' Notice of Supplemental Authority Regarding the Filed Rate Summary Judgment Motions</i> (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 04/17/2017)
04/17/2017	<u>1073</u>	NOTICE by Plaintiffs' Counsel re <u>1051</u> MOTION for an Extension of the March 29, 2017 Deadline to Produce Non–Alabama Named Provider Plaintiffs' Discovery (Attachments: # <u>1</u> Text of Proposed Order)(Whatley, Joe) (Entered: 04/17/2017)
04/17/2017	<u>1074</u>	MOTION to Amend/Correct <u>897</u> Amended Complaint <i>with Subscriber Plaintiffs' Third Amended Consolidated Complaint</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> REDACTED Amended Complaint)(Guin, David) (Entered: 04/17/2017)
04/17/2017	<u>1075</u>	NOTICE by Plaintiffs' Counsel <i>Of Filing Under Seal of Complaint</i> (Attachments: # <u>1</u> Exhibit Fourth Amended Provider Complaint, # <u>2</u> Exhibit A to Complaint)(Whatley, Joe) (Entered: 04/17/2017)
04/17/2017	<u>1076</u>	RESPONSE in Opposition re <u>1063</u> Joint MOTION to Stay Discovery Deadlines in Discovery Order No. 44 filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 04/17/2017)
04/17/2017	1077	TEXT ORDER This matter is before the court on Subscriber Plaintiffs' Motion for Leave to Amend the Subscriber Track Second Amended Consolidated Amended Complaint. <u>1074</u> The Motion <u>1074</u> is GRANTED. Plaintiffs are directed to file the proposed Third Amended Consolidated Class Action Complaint with the Clerk of the Court.. Signed by Judge R David Proctor on 4/17/2017. (KAM) (Entered: 04/17/2017)
04/17/2017	<u>1078</u>	RESPONSE in Opposition re <u>1053</u> MOTION for Reconsideration of Discovery Order No. 44 <u>1040</u> or, Alternatively, to Enlarge the Deadline for Objecting to Such Order by Health Care Cost Institute, Inc. <i>FILED UNDER SEAL</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Campbell, Andrew) (Entered: 04/17/2017)
04/17/2017	<u>1079</u>	RESPONSE to <i>Non–Party Humana Inc.'s Rule 72 Objection to Discovery Order No. 44 Filed as Dkt 1057 Under Seal</i> filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 04/17/2017)
04/17/2017	<u>1080</u>	RESPONSE to re <u>1057</u> <i>Provider Plaintiffs' Response to Non–Party Humana, Inc.'s Rule 72 Objection to Discovery Order No. 44</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 04/17/2017)
04/17/2017	<u>1081</u>	RESPONSE to re <u>1063</u> <i>Provider Plaintiffs' Response to Non–Party Insurers' Motion to Stay Deadlines in Discovery Order No. 44</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 04/17/2017)
04/17/2017	<u>1082</u>	SUBSCRIBER TRACK THIRD AMENDED CONSOLIDATED CLASS ACTION COMPLAINT (KAM) Document unsealed 4/28/2017, see order 1113 Modified on 5/2/2017 (KAM,). (Entered: 04/18/2017)
04/17/2017	<u>1084</u>	***Document Sealed – Defendants' response to Non–Party Health Care Cost Institute Inc's MOTION FOR RECONSIDERATION of Discovery Order No.44 or, alternatively, to enlarge the deadline for objection to such order (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 04/18/2017)

04/18/2017	<u>1083</u>		CONSOLIDATED FORTH AMENDED PROVIDER COMPLAINT (this document relates to 2:12-cv-2532) (KAM,)Unsealed 4/28/2017 see order 1113 Modified on 5/2/2017 (KAM,). (Entered: 04/18/2017)
04/18/2017	<u>1085</u>		RESPONSE to re <u>1052</u> <i>Subscriber Plaintiffs' Notice of Supplemental Authority</i> filed by Defendants' Counsel. (Zott, David) (Entered: 04/18/2017)
04/18/2017	<u>1086</u>		RESPONSE to re <u>1065</u> <i>Subscriber Plaintiffs' Motion Concerning Certain Deposition Time Limitations</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – In re Anthem Data Breach Litig 12/8/2016 Order)(Zott, David) (Entered: 04/18/2017)
04/18/2017	<u>1087</u>		RESPONSE to Motion re <u>1053</u> MOTION for Reconsideration of Discovery Order No. 44 <u>1040</u> or, Alternatively, to Enlarge the Deadline for Objecting to Such Order by Health Care Cost Institute, Inc. filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 04/18/2017)
04/18/2017	<u>1088</u>		RESPONSE in Opposition re <u>1064</u> Provider Plaintiffs' MOTION for Order Directing Provider Plaintiffs and Subscriber Plaintiffs to Proceed on Separate Tracks for All Discovery Purposes filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Hoover, Craig) (Entered: 04/18/2017)
04/18/2017	<u>1089</u>		STATUS REPORT <i>by Provider Plaintiffs on Tranche 1 Productions</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Brown, W) (Entered: 04/18/2017)
04/19/2017	1090		TEXT ORDER –The court's March 24, 2017 Order Setting April Status Conference <u>1049</u> is AMENDED as follows: the status conference is set for 9:00 a.m. (CDT) on April 21, 2017 in CR 8. Signed by Judge R David Proctor on 4/19/2017. (KAM) (Entered: 04/19/2017)
04/19/2017	<u>1091</u>		RESPONSE to re <u>1058</u> <i>Joint Response by Non–Party Insurers Aetna, Inc.; UnitedHealthGroup, Incorporated; Humana, Inc.; and Cigna Health and Life Insurance Company to Defendants Rule 72 Objection to Discovery Order No. 44</i> filed by AETNA, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Wells, H) (Entered: 04/19/2017)
04/19/2017	<u>1092</u>		REPLY to Response to Motion re <u>1063</u> Joint MOTION to Stay Discovery Deadlines in Discovery Order No. 44 <i>Joint Reply by Non–Party Insurers Aetna, Inc.; UnitedHealthGroup, Incorporated; Humana, Inc.; and Cigna Health and Life Insurance Company in Support of their Joint Motion to Stay Discovery Deadlines in Discovery Order No. 44</i> filed by AETNA, Inc.. (Wells, H) (Entered: 04/19/2017)
04/20/2017	<u>1093</u>		STATUS REPORT (<i>PROVIDER PLAINTIFFS' REPORT REGARDING STATUS CONFERENCE ON APRIL 21, 2017</i>) by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Whatley, Joe) (Entered: 04/20/2017)
04/20/2017	<u>1094</u>		RESPONSE to re <u>1072</u> <i>Notice of Supplemental Authority Regarding the Filed Rate Summary Judgment Motions</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 04/20/2017)
04/20/2017	<u>1095</u>		MOTION to Withdraw as Attorney for <i>Excellus Heath Plan, Excellus BlueCross Blue Shield</i> by Defendants' Counsel. (Andress, D) (Entered: 04/20/2017)

04/20/2017	1096		TEXT ORDER This matter is before the court on the Motion to Withdraw filed by attorney D. Keith Address. <u>1095</u> The Motion <u>1095</u> is GRANTED. The Clerk of the Court is directed to terminate attorney Address. Signed by Judge R David Proctor on 4/20/2017. (KAM) (Entered: 04/20/2017)
04/21/2017			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 4/21/2017. (Court Reporter Teresa Roberson.) (KLL) (Entered: 04/21/2017)
04/21/2017	<u>1097</u>		ORDER TO SHOW CAUSE the parties are directed to appear and show cause why an injunction should not be entered to either (a) enjoin Anthem, Defendants, Provider Plaintiffs, and Subscriber Plaintiffs from providing information and documents deemed confidential under the Qualified Protective Order and the courts Alternative Dispute Resolution Plan to Cigna in connection with the litigation before the Delaware Chancery Court, and/or (b) enjoin Cigna from requesting such confidential information and documents; parties to simultaneously file briefs by 5/3/2017; reply briefs may be filed by 5/10/2017. Signed by Judge R David Proctor on 4/21/2017. (KAM) (Entered: 04/21/2017)
04/21/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 4/21/2017; re <u>849</u> , <u>1051</u> , <u>1063</u> , <u>1053</u> , <u>1064</u> , <u>1065</u> ; arguments by counsel; hrg adj (Court Reporter Julie Martin) (ASL) (Entered: 04/21/2017)
04/24/2017	<u>1098</u>		ORDER for the reasons stated on the record during the 4/21/2017 status conference; <u>1046</u> Motion for Reconsideration is denied without prejudice; the parties and the court will reassess the questions raised by the motion at a later date. Signed by Judge R David Proctor on 4/24/2017. (KAM,) (Entered: 04/24/2017)
04/24/2017	<u>1099</u>		REPLY to re <u>1058</u> in Support of Defendants' Rule 72 Objection to Discovery Order No. 44 filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Campbell, Andrew) (Entered: 04/24/2017)
04/24/2017	<u>1101</u>		Reply in support of defendants' Rule 72 Objection to Discovery Order No. 44 (Attachments: # <u>1</u> Exhibit A) (KAM,) Document unsealed 5/2/2017 Modified on 5/2/2017 (KAM,). (Entered: 04/25/2017)
04/25/2017	<u>1100</u>		DISCOVERY ORDER NO. 46. Signed by Magistrate Judge T Michael Putnam on 4/25/2017. (KAM) (Entered: 04/25/2017)
04/25/2017	<u>1102</u>		Subscriber Plaintiffs' Motion for Additional BCBS–AL Custodians by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(AVC) Document un–sealed 5/5/2017 see 1132 Modified on 5/5/2017 (KAM,). (Entered: 04/25/2017)
04/25/2017	<u>1103</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT – The Court therefore ORDERS that the Special Master=s application for payment is hereby approved, with one–half of the billing for common projects, plus the billing that=s specific only to Subscriber Track projects, or \$22,500.00, to be paid by the Subscriber Track and one–half of the billing for common projects, plus the billing that=s specific only to Provider Track projects, or \$19,500.00, to be paid by the Provider Track, from their Common Benefit monies. Signed by Judge R David Proctor on 4/25/2017.

		(KAM) (Entered: 04/25/2017)
04/25/2017	<u>1104</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT – The Court therefore ORDERS that the Special Master=s application for payment is hereby approved, with: (i) one–half, or \$1,500.00, to be paid by the Defendants; and (ii) one–fourth, or \$750.00, to be paid by the Subscriber Track, and one–fourth, or \$750.00, to be paid by the Provider Track, from their Common Benefit monies.. Signed by Judge R David Proctor on 4/25/2017. (KAM,) (Entered: 04/25/2017)
04/25/2017	<u>1105</u>	ORDER the Provider Plaintiffs Motion for an Extension of the March 29, 2017 Deadline to Produce Non–Alabama Named Provider Plaintiffs Discovery <u>1051</u> is GRANTED: Provider Plaintiffs will substantially complete their structured and unstructured productions on April 18, 2017, May 1, 2017, and June 1, 2017, as further set out in this order. Signed by Magistrate Judge T Michael Putnam on 4/25/2017. (KAM,) (Entered: 04/25/2017)
04/25/2017	<u>1106</u>	ORDER granting <u>1063</u> Motion to Stay Discovery Deadlines in Discovery Order No. 44; insofar as the deadlines for providing an estimate of costs and the April 30, 2017, deadline for production of strategic documents described in subsection II.B. of Discovery Order No. 44 are STAYED, to be reset following the resolution of the defendants Rule 72 Objection to Discovery. The Non–Party Insurers are not, however,relieved of their duty to continue searching for, screening, and preparing documents for production, and to continue actually producing responsive documents that are historical or fact–based, as opposed to forward–looking strategic documents, as described in subsection II.B. of Discovery Order No. 44, or to provide cost estimates for production of such historical or fact–based market entry/exit documents.2. Signed by Magistrate Judge T Michael Putnam on 4/25/2017. (KAM,) (Entered: 04/25/2017)
04/25/2017	<u>1107</u>	MOTION to Compel <i>Blue Cross and Blue Shield of Alabama to Designate Annette Baker, Cynthia Vice, Sherry Lemier, and Jerry Chambers as Document Production Custodians by Provider Plaintiffs</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Whatley, Joe) (Granted in Discovery Order 48 <u>1131</u> Modified on 5/11/2017 (KAM,). (Entered: 04/25/2017)
04/26/2017	1108	TEXT ORDER re <u>1102</u> SEALED MOTION – Subscriber Plaintiffs' Motion for Additional BCBS–AL Custodians; and <u>1107</u> Provider Plaintiffs' MOTION to Compel Blue Cross and Blue Shield of Alabama to Designate Annette Baker, Cynthia Vice, Sherry Lemier, and Jerry Chambers as Document Production Custodians. Any response to the motions is due no later than Monday, May 1, 2017. Signed by Magistrate Judge T Michael Putnam on April 26, 2017. (AMP) (Entered: 04/26/2017)
04/26/2017	<u>1109</u>	Transcript of Proceedings held on 4/21/2017, before Judge R. David Proctor. Court Reporter/Transcriber Teresa Roberson, Telephone number (205) 492–2483. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such

		<p>Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/17/2017. Redacted Transcript Deadline set for 5/27/2017. Release of Transcript Restriction set for 7/25/2017. (Attachments: # <u>1</u> ct rpt certification page) (AVC) (Entered: 04/26/2017)</p>
04/26/2017	<u>1110</u>	<p>NOTICE by Defendants' Counsel <i>Regarding Sealing of Subscriber Plaintiffs' Third Amended Complaint and Provider Plaintiffs' Fourth Amended Complaint – Joint</i> (Hogewood, Mark) (Entered: 04/26/2017)</p>
04/27/2017	<u>1111</u>	<p>Transcript of Proceedings held on April 21, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Julie Martin, Telephone number (205) 837-5266. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/18/2017. Redacted Transcript Deadline set for 5/28/2017. Release of Transcript Restriction set for 7/26/2017. (MRR,) (Entered: 04/27/2017)</p>
04/27/2017		<p>Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 4/27/2017. (Court Reporter Sabrina Lewis) (ASL) (Entered: 04/27/2017)</p>
04/28/2017	1112	<p>TEXT ORDER re <u>1102</u> SEALED MOTION – Subscriber Plaintiffs' Motion for Additional BCBS–AL Custodians; and <u>1107</u> Provider Plaintiffs' MOTION to Compel Blue Cross and Blue Shield of Alabama to Designate Annette Baker, Cynthia Vice, Sherry Lemier, and Jerry Chambers as Document Production Custodians. A Motion Hearing is SET for Wednesday, May 3, 2017, at 10:00 AM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on April 28, 2017. (AMP,) (Entered: 04/28/2017)</p>
04/28/2017	1113	<p>TEXT ORDERThis matter is before the court on the parties' Joint Notice Regarding Sealing of Subscriber Plaintiffs Third Amended Complaint and Provider Plaintiffs Fourth Amended Complaint. <u>1110</u> In light of the Joint Notice <u>1110</u> , the clerk of the court is directed to unseal Documents No. 1082 and 1083. <u>1082</u> <u>1083</u> . Signed by Judge R David Proctor on 4/28/2017. (KAM) (Entered: 04/28/2017)</p>
04/28/2017	<u>1114</u>	<p>DISCOVERY ORDER No. 47. Signed by Magistrate Judge T Michael Putnam on 4/28/2017. (KAM,) (Entered: 04/28/2017)</p>
05/01/2017	<u>1115</u>	

		<p>Transcript of Proceedings held on April 27, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278-2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/22/2017. Redacted Transcript Deadline set for 6/1/2017. Release of Transcript Restriction set for 7/30/2017. (MRR,) (Entered: 05/01/2017)</p>
05/01/2017	<u>1116</u>	ORDER REGARDING OBJECTIONS TO DISCOVERY ORDER NO. 44. Signed by Judge R David Proctor on 5/1/2017. (JLC) (Entered: 05/01/2017)
05/01/2017	<u>1117</u>	ORDER that this case is hereby set for a Status Conference at 9:00 a.m. on Thursday, June 8, 2017, in Courtroom 8 of the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama before Judge R David Proctor. On or before Friday, June 2, 2017, the parties SHALL submit a Joint Report as set out herein. Economics Day Part II is SET at 9:00 a.m. on Friday, June 9, 2017, in Courtroom 8 of the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama. Signed by Judge R David Proctor on 5/1/2017. (JLC) (Entered: 05/01/2017)
05/01/2017	<u>1118</u>	STATUS REPORT <i>of Provider Plaintiffs Regarding Discovery</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 05/01/2017)
05/01/2017	<u>1119</u>	STATUS REPORT <i>Subscriber Plaintiffs' Status Report on Depositions, Custodians and Search Terms</i> by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 05/01/2017)
05/01/2017	<u>1120</u>	STATUS REPORT <i>by Provider Plaintiffs Regarding Tranche 2 Productions</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Brown, W) (Entered: 05/01/2017)
05/01/2017	<u>1121</u>	RESPONSE to <i>Plaintiffs' Motions to Compel Additional Custodians</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Malatesta, John) (Entered: 05/01/2017)
05/02/2017	1122	TEXT ORDER —This matter is before the court on correspondence dated May 1, 2017 from Defendants regarding the status of the seal on their Reply in Support of Defendants' Rule 72 Objection to Discovery Order No. 44. <u>1101</u> In light of that correspondence, the clerk of the court is directed to unseal Document No. 1101. <u>1101</u> . Signed by Judge R David Proctor on 5/2/2017. (KAM,) (Entered: 05/02/2017)
05/03/2017		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 5/3/2017 re <u>1102</u> , <u>1107</u> ; arguments by counsel; court's remarks; taken under submission; hrg adj (Court Reporter Sabrina Lewis) (ASL) (Entered: 05/03/2017)

05/03/2017	<u>1123</u>		RESPONSE TO ORDER TO SHOW CAUSE by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 05/03/2017)
05/03/2017	<u>1124</u>		NOTICE of Appearance by Claudine Columbres on behalf of Anthem, Inc. (Columbres, Claudine) (Entered: 05/03/2017)
05/03/2017	<u>1125</u>		NOTICE of Appearance by Glenn M Kurtz on behalf of Anthem, Inc. (Kurtz, Glenn) (Entered: 05/03/2017)
05/03/2017	<u>1126</u>		NOTICE by CIGNA Health and Life Insurance Company re <u>1097</u> Order to Show Cause,, (Weller, Christopher) (Entered: 05/03/2017)
05/03/2017	<u>1127</u>		RESPONSE to re <u>1097</u> <i>Subscriber Plaintiffs' Reponse to Court's Order to Show Cause</i> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 05/03/2017)
05/03/2017	<u>1128</u>		***Document Sealed – Defendant's Response to the Court's 4/21/2017 Order to Show Cause (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8) (KAM,) (Entered: 05/04/2017)
05/03/2017	<u>1129</u>		***Document Sealed Defendant Anthem Inc's Response to Order to Show Cause (KAM) (Entered: 05/04/2017)
05/04/2017	<u>1130</u>		***Document Sealed CIGNA Corporation's Response to Show Cause Order <u>1097</u> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (KAM,) (Entered: 05/04/2017)
05/04/2017	<u>1131</u>		DISCOVERY ORDER No. 48. Signed by Magistrate Judge T Michael Putnam on 5/4/2017. (KAM) (Entered: 05/04/2017)
05/05/2017	1132		TEXT ORDER —This matter is before the court on correspondence dated May 4, 2017 from the Subscriber Seal Team regarding the status of the seal on their Motion for Additional BCBS–AL Custodians. <u>1102</u> In light of that correspondence, the clerk of the court is directed to unseal Document No. 1102. <u>1102</u> .. Signed by Judge R David Proctor on 5/5/2017. (KAM,) (Entered: 05/05/2017)
05/05/2017	<u>1133</u>		NOTICE by Blue Cross Blue Shield Antitrust Litigation MDL 2406 of <i>Withdrawal of Appearance</i> (Leary, Paul) (Entered: 05/05/2017)
05/05/2017	1134		TEXT ORDER —This matter is before the court on the responses <u>1123</u> <u>1127</u> <u>1128</u> <u>1129</u> <u>1130</u> to the court's April 21, 2017 Show Cause Order <u>1097</u> . In light of the responses, this matter is SET for a telephone conference at 3:00 p.m. Central Time on Thursday, May 11, 2017 , to discuss the matters addressed in the order and the responses. The telephone conference regarding this issue will occur at the beginning of Judge Putnam's weekly discovery call. Signed by Judge R David Proctor on 5/5/2017. (KAM,) (Entered: 05/05/2017)
05/05/2017	<u>1135</u>		***Document Sealed – Notice of Substitution of Exhibits by dft Blue Cross Blue Shield Association (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Exhibit 4, # <u>3</u> Exhibit 6) (KAM) (Entered: 05/05/2017)
05/05/2017	<u>1136</u>		***Document Sealed Subscriber Plaintiffs' Response to the Court's Order to Show Cause <u>1097</u> (KAM,) (Entered: 05/05/2017)

05/08/2017	<u>1137</u>		MOTION for Leave to Appear Pro Hac Vice by CIGNA Health and Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Weller, Christopher) (Entered: 05/08/2017)
05/08/2017	<u>1138</u>		MOTION for Leave to Appear Pro Hac Vice by CIGNA Health and Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Weller, Christopher) (Entered: 05/08/2017)
05/09/2017	1139		TEXT ORDER —This matter is before the court on the Motions for Admission Pro Hac Vice filed on behalf of attorneys Samuel C. Leifer and Stephen R. DiPrima. <u>1137</u> <u>1138</u> The Motions <u>1137</u> <u>1138</u> are GRANTED .. Signed by Judge R David Proctor on 5/9/2017. (KAM,) (Entered: 05/09/2017)
05/09/2017	<u>1140</u>		MOTION for Leave to File <i>Under Seal</i> by CIGNA Health and Life Insurance Company. (Weller, Christopher) (Entered: 05/09/2017)
05/09/2017	1141		TEXT ORDER —This matter is before the court on Cigna Corporation's Unopposed Motion for Leave to File Under Seal. <u>1140</u> The Motion <u>1140</u> is GRANTED . See <u>145</u> <u>758</u> .. Signed by Judge R David Proctor on 5/9/2017. (KAM,) (Entered: 05/09/2017)
05/09/2017	<u>1142</u>		MOTION <i>to Extend Time for Rule 30(b)(6) Depositions</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Memo in Support)(Lemmon, Andrew) (Entered: 05/09/2017)
05/10/2017	<u>1143</u>		MOTION for Additional Time for Depositions <i>by Subscriber Plaintiffs</i> by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 05/10/2017)
05/10/2017	<u>1144</u>		***Document Sealed – DEFENDANTS REPLY TO CIGNAS AND PLAINTIFFS RESPONSES TO THE COURTS APRIL 21, 2017 SHOW CAUSE ORDER (SAC) (Entered: 05/10/2017)
05/10/2017	<u>1145</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1097</u> Order to Show Cause,, (<i>Provider Plaintiffs</i>) filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit One, # <u>2</u> Exhibit Two)(Whatley, Joe) (Entered: 05/10/2017)
05/10/2017	<u>1146</u>		***Document Sealed – Cigna Corporation's Reply in Further Support of its Response to Show Cause Order Regarding Privilege Issues <u>1097</u> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (KAM,) (Entered: 05/11/2017)
05/10/2017	<u>1147</u>		***Document Sealed – Anthem's Reply to the Responses to the Court's 4/21/2017 Show Cause Order (KAM) (Entered: 05/11/2017)
05/11/2017	<u>1148</u>		RESPONSE to Motion re <u>1142</u> MOTION <i>to Extend Time for Rule 30(b)(6) Depositions on Behalf of BCBSA & BCBS–AL</i> filed by Defendants' Counsel. (Donnell, Sarah) (Entered: 05/11/2017)
05/11/2017	<u>1149</u>		RESPONSE to <i>Defendants' Request to Maintain the Seal on Their Show Cause Response</i> filed by Plaintiffs' Counsel. (Stokes, Tammy) (Entered: 05/11/2017)
05/11/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 5/11/2017. (Court Reporter Sabrina Lewis) (ASL) (Entered: 05/11/2017)

05/11/2017	<u>1150</u>		NOTICE by Plaintiffs' Counsel of <i>Agreement Regarding BCBS–AL Custodians (Subscriber Plaintiffs)</i> (Hellums, Christopher) (Entered: 05/11/2017)
05/12/2017	<u>1151</u>		DISCOVERY ORDER NO. 49.. Signed by Judge R David Proctor on 5/12/2017. (KAM) (Entered: 05/12/2017)
05/12/2017	<u>1152</u>		SUPPLEMENTAL DISCOVERY ORDER NO. 48. Signed by Magistrate Judge T Michael Putnam on 5/12/2017. (KAM,) (Entered: 05/12/2017)
05/15/2017	<u>1153</u>		DISCOVERY ORDER NO. 50. Signed by Magistrate Judge T Michael Putnam on 5/15/2017. (KAM) (Entered: 05/15/2017)
05/15/2017	<u>1154</u>		MOTION for Extension of Time <i>For Responding To The Amended Complaints (Unopposed)</i> by Defendants' Counsel. (Hoover, Craig) (Entered: 05/15/2017)
05/15/2017	<u>1155</u>		Brief re <u>1149</u> Response (other) <i>Defendants' Justification for Filings Submitted Under Seal and Reply to Subscribers' May 11, 2017 Response Regarding Sealing</i> . (Zott, David) (Entered: 05/15/2017)
05/15/2017	<u>1156</u>		Brief re <u>1097</u> Order to Show Cause,, <i>Defendants' Response to the Court's April 21, 2017 Show Cause Order – Public Version</i> – filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – 4/12/2017 Hearing Transcript, # <u>2</u> Exhibit 2 – 4/13/2017 Hearing Transcript, # <u>3</u> Exhibit 3–6 – Filed Under Seal, # <u>4</u> Exhibit 7 – 4/28/2017 Laster Letter to Counsel, # <u>5</u> Exhibit 8 – Filed Under Seal)(Zott, David) (Entered: 05/15/2017)
05/15/2017	<u>1157</u>		Brief re <u>1097</u> Order to Show Cause,, <i>Defendants' Reply to Cigna's and Plaintiffs' Responses to the Court's April 21, 2017 Show Cause Order – Public Version</i> – filed by Defendants' Counsel. (Zott, David) (Entered: 05/15/2017)
05/16/2017	1158		TEXT ORDER –This matter is before the court on Defendants' Unopposed Motion to Enlarge the Time for Responding to the Amended Complaints. <u>1154</u> The Motion <u>1154</u> is GRANTED . Defendants shall respond to the recently amended complaints on or before May 17, 2017 . Signed by Judge R David Proctor on 5/16/2017. (KAM) (Entered: 05/16/2017)
05/16/2017	1159		TEXT ORDER This matter is before the court on the parties' filings regarding justifications for maintaining the seal on documents filed in response to the court's April 21, 2017 Show Cause Order. <u>1097</u> In light of those filings, the Clerk of the Court is directed to unseal Documents 1128–1, 1128–2 and 1128–7. [1128–1] [1128–2] [1128–7]. Signed by Judge R David Proctor on 5/16/2017. (KAM,) (Entered: 05/16/2017)
05/17/2017	<u>1160</u>		ORDER – No future mediation may be unilaterally cancelled by any party. All future mediation sessions SHALL take place pursuant to this courts order and occur in Birmingham, Alabama. The Mediator and Special Master SHALL submit an appropriate order in relation to all such future sessions. Signed by Judge R David Proctor on 5/16/2017. (KAM) (Entered: 05/17/2017)
05/17/2017	1161		TEXT ORDER –This case is SET for an ex parte telephone conference with certain Subscribers Counsel at 12:00 noon, Central time, on Friday, May 19, 2017 . Subscribers Lead Counsel, Subscriber Plaintiffs Steering

		Committee Members and the Subscribers Liaison Counsel SHALL attend. The Special Master is asked to circulate dial in information for the call. Signed by Judge R David Proctor on 5/17/2017. (KAM) (Entered: 05/17/2017)
05/17/2017	<u>1162</u>	<i>Blue Shield of California's Answer & Affirmative Defenses ANSWER to Complaint (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(West, Kimberly) (Entered: 05/17/2017)
05/17/2017	<u>1163</u>	<i>Highmark Inc.'s Answer & Affirmative Defenses ANSWER to Complaint (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(West, Kimberly) (Entered: 05/17/2017)
05/17/2017	<u>1164</u>	<i>Health Care Service Corp. & Caring For Montanans, Inc.'s Answer & Affirmative Defenses ANSWER to Complaint (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(West, Kimberly) (Entered: 05/17/2017)
05/17/2017	<u>1165</u>	<i>Defendant US Able Mutual Insurance Company, d/b/a Arkansas Blue Cross and Blue Shield's Answer and Affirmative Defenses to the Subscriber Track Third Amended Consolidated Class Action Complaint [Docket no. 1082]</i> ANSWER to Complaint by Defendants' Counsel.(Naranjo, Michael) (Entered: 05/17/2017)
05/17/2017	<u>1166</u>	<i>Blue Cross and Blue Shield Association's ANSWER to Complaint with Jury Demand (Subscriber Track's Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Zott, David) (Entered: 05/17/2017)
05/17/2017	<u>1167</u>	<i>Independence Hospital Indemnity Plan, Inc.'s Answer and Affirmative Defenses ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Adcox, Rachel) (Entered: 05/17/2017)
05/17/2017	<u>1168</u>	<i>Blue Cross Blue Shield of Alabama's ANSWER to Complaint (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Burkhalter, Carl) (Entered: 05/17/2017)
05/17/2017	<u>1169</u>	<i>Anthem, Inc., f/k/a WellPoint, Inc., and all of its named subsidiaries in this consolidated action ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1170</u>	<i>Blue Cross and Blue Shield of Florida, Inc. ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1171</u>	<i>Louisiana Health Service & Indemnity Company (Blue Cross and Blue Shield of Louisiana) ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1172</u>	<i>Blue Cross and Blue Shield of Massachusetts, Inc. ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint)</i> by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)

05/17/2017	<u>1173</u>		<i>Blue Cross Blue Shield of Mississippi, A Mutual Insurance Company's ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Blue Cross Blue Shield Antitrust Litigation MDL 2406.(McDowell, M) (Entered: 05/17/2017)</i>
05/17/2017	<u>1174</u>		<i>Wellmark, Inc., d/b/a Wellmark Blue Cross and Blue Shield of Iowa, and Wellmark of South Dakota, Inc., d/b/a Wellmark Blue Cross and Blue Shield of South Dakota's ANSWER to Complaint with Jury Demand (Subscriber Track's Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Zott, David) (Entered: 05/17/2017)</i>
05/17/2017	<u>1175</u>		<i>BCBSM, Inc. (Blue Cross and Blue Shield of Minnesota) ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1176</u>		<i>Blue Cross and Blue Shield of North Carolina, Inc. ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1177</u>		<i>Blue Cross & Blue Shield of Rhode Island ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1178</u>		<i>Blue Cross and Blue Shield of South Carolina ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1179</u>		<i>Blue Cross and Blue Shield of Vermont ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1180</u>		<i>Cambia Health Solutions, Inc.; Regence Blue Shield of Idaho; Regence Blue Cross Blue Shield of Utah; Regence Blue Shield (in Washington); Regence Blue Cross Blue Shield of Oregon ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1181</u>		<i>Hawaii Medical Service Association (Blue Cross and Blue Shield of Hawaii) ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1182</u>		<i>Horizon Healthcare Services, Inc. (Horizon Blue Cross and Blue Shield of New Jersey) ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1183</u>		<i>ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield.(Clark, Anna) (Entered: 05/17/2017)</i>
05/17/2017	<u>1184</u>		<i>Blue Cross Blue Shield of Michigan's ANSWER to Complaint with Jury Demand for the Subscriber Track's Third Amended Consolidated Class</i>

			<i>Action Complaint</i> by Defendants' Counsel.(Campbell, Andrew) (Entered: 05/17/2017)
05/17/2017	<u>1185</u>		<i>CareFirst BlueChoice, Inc.</i> ANSWER to Complaint with Jury Demand by Defendants' Counsel.(Norman, Brian) (Entered: 05/17/2017)
05/17/2017	<u>1186</u>		<i>Premera Blue Cross's</i> ANSWER to Complaint with Jury Demand <i>Subscriber Track Third Amended Consolidated Class Action Complaint</i> by Premera Blue Cross.(Payton, Gwendolyn) (Entered: 05/17/2017)
05/17/2017	<u>1187</u>		MOTION to Dismiss <i>Providers' Consolidated Fourth Amended Complaint</i> by Defendants' Counsel. (Attachments: # <u>1</u> Supplement Brief In Support of MTD, # <u>2</u> Exhibit A)(Campbell, Andrew) (Entered: 05/17/2017)
05/17/2017	<u>1188</u>		<i>Blue Cross & Blue Shield of Mississippi, A Mutual Insurance Company's</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Blue Cross Blue Shield Antitrust Litigation MDL 2406.(McDowell, M) (Entered: 05/17/2017)
05/17/2017	<u>1189</u>		<i>CareFirst, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Norman, Brian) (Entered: 05/17/2017)
05/17/2017	<u>1190</u>		<i>CareFirst of Maryland, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Norman, Brian) (Entered: 05/17/2017)
05/17/2017	<u>1191</u>		<i>Group Hospitalization and Medical Services, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Norman, Brian) (Entered: 05/17/2017)
05/17/2017	<u>1192</u>		ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Blue Cross Blue Shield of Arizona.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1193</u>		<i>Defendant BlueCross BlueShield of Tennessee's</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Miller, Margot) (Entered: 05/17/2017)
05/17/2017	<u>1194</u>		<i>Blue Cross of Idaho Health Service, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1195</u>		<i>HealthNow New York Inc.</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1196</u>		<i>Blue Cross and Blue Shield of Kansas, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1197</u>		<i>Blue Cross and Blue Shield of Kansas City's</i> ANSWER to Complaint with Jury Demand (<i>Subscriber Track Third Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1198</u>		

			<i>Blue Cross and Blue Shield of Nebraska's ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1199</u>		<i>ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield.(Clark, Anna) (Entered: 05/17/2017)</i>
05/17/2017	<u>1200</u>		<i>Noridian Mutual Insurance Company's ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1201</u>		<i>Blue Cross Blue Shield of Wyoming ANSWER to Complaint with Jury Demand (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1202</u>		<i>Triple-S Salud, Inc.'s ANSWER to <u>86</u> Amended Complaint (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Pabon Rico, Gustavo) (Entered: 05/17/2017)</i>
05/17/2017	<u>1203</u>		<i>Triple-S Salud, Inc.'s ANSWER to <u>897</u> Amended Complaint (Subscriber Track Third Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Pabon Rico, Gustavo) (Entered: 05/17/2017)</i>
05/17/2017	<u>1204</u>		<i>Blue Cross Blue Shield of Arizona's ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1205</u>		<i>Blue Cross and Blue Shield of Kansas City ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1206</u>		<i>Blue Cross and Blue Shield of Kansas, Inc. ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1207</u>		<i>Anthem, Inc., f/k/a WellPoint, Inc., and all of its named subsidiaries in this consolidated action ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1208</u>		<i>Noridian Mutual Insurance Company's ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1209</u>		<i>Blue Cross and Blue Shield of Florida, Inc. ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)</i>
05/17/2017	<u>1210</u>		<i>Blue Cross and Blue Shield of Nebraska's ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)</i>
05/17/2017	<u>1211</u>		<i>Louisiana Health Service & Indemnity Company (Blue Cross and Blue Shield of Louisiana) ANSWER to Complaint with Jury Demand (Provider Track Fourth Amended Consolidated Class Action Complaint) by Defendants'</i>

		Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1212</u>	<i>Blue Cross and Blue Shield of Massachusetts, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1213</u>	<i>Blue Cross Blue Shield of Wyoming's</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1214</u>	<i>BCBSM, Inc. (Blue Cross and Blue Shield of Minnesota)</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1215</u>	<i>Blue Cross of Idaho Health Service, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1216</u>	<i>Blue Cross and Blue Shield of North Carolina, Inc.</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1217</u>	<i>HealthNow New York Inc.</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Sooy, Kathleen) (Entered: 05/17/2017)
05/17/2017	<u>1218</u>	<i>Blue Cross & Blue Shield of Rhode Island</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1219</u>	<i>Blue Cross and Blue Shield of South Carolina</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1220</u>	<i>Blue Cross and Blue Shield of Vermont</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1221</u>	<i>Cambia Health Solutions, Inc.; Regence Blue Shield of Idaho; Regence Blue Cross Blue Shield of Utah; Regence Blue Shield (in Washington); Regence Blue Cross Blue Shield of Oregon</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1222</u>	<i>Hawaii Medical Service Association (Blue Cross and Blue Shield of Hawaii)</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)
05/17/2017	<u>1223</u>	<i>Horizon Healthcare Services, Inc. (Horizon Blue Cross and Blue Shield of New Jersey)</i> ANSWER to Complaint with Jury Demand (<i>Provider Track Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Hoover, Craig) (Entered: 05/17/2017)

05/17/2017	<u>1224</u>		<i>Defendant US Able Mutual Insurance Company, d/b/a Arkansas Blue Cross and Blue Shield's Answer and Affirmative Defenses to the Provider Track Fourth Amended Consolidated Class Action Complaint [Docket no. 1083]</i> ANSWER to Complaint with Jury Demand by Defendants' Counsel.(Naranjo, Michael) (Entered: 05/17/2017)
05/18/2017	<u>1225</u>		ORDER re <u>1187</u> MOTION to Dismiss <i>Providers' Consolidated Fourth Amended Complaint</i> filed by Defendants' Counsel ; Unless the parties otherwise agree on a briefing schedule for the Motion, any response SHALL be filed no later than ten (10) calendar days after the date the Motion was filed. (However, if the due date falls on a weekend or court holiday, the due date shall be the next business day). Any reply SHALL be filed no later than five (5) calendar days after the date on which the responsive brief is filed. Signed by Judge R David Proctor on 5/18/2017. (KAM,) (Entered: 05/18/2017)
05/18/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 5/18/2017. (Court Reporter Lindy Fuller) (ASL) (Entered: 05/18/2017)
05/19/2017	<u>1226</u>		DISCOVERY ORDER No. 51. Signed by Magistrate Judge T Michael Putnam on 5/19/2017. (JLC) (Entered: 05/19/2017)
05/19/2017	<u>1227</u>		TEXT ORDER. The Discovery Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on June 8, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on May 19, 2017. (AMP) (Entered: 05/19/2017)
05/23/2017	<u>1228</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT – Payment for services rendered and expenses incurred from 4/1/2017 through 4/30/2017 in this matter as it relates to services rendered for both sides, and totaling \$8,000.00. Signed by Judge R David Proctor on 5/23/2017. (KAM,) (Entered: 05/23/2017)
05/23/2017	<u>1229</u>		ORDER APPOROVING SPECIAL MASTER INVOICE FOR PAYMENT – payment for services rendered and expenses incurred from 4/1/2017 through 4/30/2017 in this matter relating solely to services provided to the plaintiffs, and totaling \$41,800.00. Signed by Judge R David Proctor on 5/23/2017. (KAM,) (Entered: 05/23/2017)
05/24/2017	<u>1230</u>		MEDIATION ORDER – a mediation involving Subscriber Plaintiffs and Defendants shall take place on 6/6/2017 in Birmingham, AL; every party SHALL designate to the mediator a representative who will attend the mediation in person. Signed by Judge R David Proctor on 5/24/2017. (KAM) (Entered: 05/24/2017)
05/25/2017	<u>1231</u>		MOTION <i>For Additional Anthem Custodians</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Hellums, Christopher) withdrawn by <u>1245</u> Modified on 6/14/2017 (KAM,). (Entered: 05/25/2017)
05/25/2017	<u>1232</u>		Subscriber Plaintiffs' Motion to Compel Supplemental Production Custodians. (KAM)(Motion unsealed Modified on 6/2/2017) (KAM,).

		Modified on 6/16/2017 (KAM,). (Entered: 05/25/2017)
05/25/2017	<u>1233</u>	Transcript of Proceedings held on May 3, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278-2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/15/2017. Redacted Transcript Deadline set for 6/25/2017. Release of Transcript Restriction set for 8/23/2017. (MRR,) (Entered: 05/25/2017)
05/25/2017	<u>1234</u>	Transcript of Proceedings held on May 11, 2017, before Judge R. David Proctor and Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278-2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/15/2017. Redacted Transcript Deadline set for 6/25/2017. Release of Transcript Restriction set for 8/23/2017. (MRR,) (Entered: 05/25/2017)
05/25/2017	<u>1235</u>	MOTION to Compel <i>BCS Financial Corporation and BCS Insurance Company to Produce Documents (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Whatley, Joe) Modified on 6/16/2017 (KAM,). (Entered: 05/25/2017)
05/26/2017	<u>1236</u>	MOTION for Extension of Time to File Response/Reply as to <u>1235</u> MOTION to Compel <i>BCS Financial Corporation and BCS Insurance Company to Produce Documents (Provider Plaintiffs)</i> by BCS Financial Corporation, BCS Insurance Company. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Pennington, Michael) <u>1264</u> granted in part and denied in part this motion Modified on 6/14/2017 (KAM,). (Entered: 05/26/2017)
05/26/2017	<u>1237</u>	RESPONSE in Opposition re <u>1187</u> MOTION to Dismiss <i>Providers' Consolidated Fourth Amended Complaint</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 05/26/2017)
05/30/2017	<u>1238</u>	RESPONSE in Opposition re <u>1236</u> MOTION for Extension of Time to File Response/Reply as to <u>1235</u> MOTION to Compel <i>BCS Financial Corporation</i>

			<i>and BCS Insurance Company to Produce Documents (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 05/30/2017)
05/30/2017	<u>1239</u>		NOTICE of Appearance by Stephen A Walsh on behalf of Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield (Walsh, Stephen) (Entered: 05/30/2017)
05/30/2017	<u>1240</u>		MOTION Unopposed Motion of Co–Lead Counsel to Obtain Court Approval for the Appointment of Charles J. Cooper to Serve as Co–Chair of the Brief Writing and Submissions for the Subscriber Track by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit)(Hellums, Christopher) (Entered: 05/30/2017)
05/30/2017	<u>1241</u>		MOTION to Compel <i>by Subscriber Plaintiffs' of Production of Data Regarding Premiums and Total Claims Data</i> by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1. Appendix D, # <u>3</u> Exhibit 2. January 19, 2017 letter from Stenerson to Bush, # <u>4</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 05/30/2017)
05/31/2017	1242		TEXT ORDER re <u>1236</u> MOTION for Extension of Time to Respond to <u>1235</u> MOTION to Compel, filed by <i>BCS Insurance Company, BCS Financial Corporation</i> . Argument on the motion shall be heard at the Discovery Conference set for June 8, 2017. Any written response to the motion is governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on May 31, 2017. (AMP) (Entered: 05/31/2017)
05/31/2017	1243		TEXT ORDER re <u>1241</u> Subscriber Plaintiffs' Motion to Compel Production of Data Regarding Premiums and Total Claims Data. Defendants named in the motion shall have until Monday, June 12, 2017, to respond to the motion. The possible need for a special setting on the motion shall be addressed at the Discovery Conference set for June 8, 2017. Signed by Magistrate Judge T Michael Putnam on May 31, 2017. (AMP) (Entered: 05/31/2017)
05/31/2017	<u>1244</u>		ORDER granting <u>1240</u> Motion appointing Charles J. Cooper to serve as Co–Chair, along with David Guin, of the Brief Writing and Submissions Committee for the Subscriber Tract. Signed by Judge R David Proctor on 5/31/2017. (KAM,) (Entered: 05/31/2017)
05/31/2017	<u>1245</u>		NOTICE by Plaintiffs' Counsel re <u>1231</u> MOTION <i>For Additional Anthem Custodians Notice of Withdrawal</i> (Hellums, Christopher) (Entered: 05/31/2017)
06/01/2017	<u>1246</u>		NOTICE by Defendants' Counsel <i>Regarding Sealing of Subscriber Plaintiffs' Motion to Compel Supplemental Production Custodians (Joint)</i> (Hogewood, Mark) (Entered: 06/01/2017)
06/01/2017	<u>1247</u>		NOTICE of Appearance by Hamish P.M. Hume on behalf of All Plaintiffs (Hume, Hamish) (Entered: 06/01/2017)
06/01/2017	<u>1248</u>		STATUS REPORT <i>Regarding Provider Plaintiffs' Tranche 3 Productions</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Brown, W) (Entered: 06/01/2017)
06/02/2017	1249		TEXT ORDER –This matter is before the court on the parties' Joint Notice Regarding Sealing of Subscriber Plaintiffs Motion to Compel Supplemental

		Production Custodians. <u>1246</u> In light of the Joint Notice <u>1246</u> , the Clerk of the Court is directed to unseal Document 1232. <u>1232</u> . Signed by Judge R David Proctor on 6/2/2017. (KAM,) (Entered: 06/02/2017)
06/02/2017	<u>1250</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on June 8 2017</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 06/02/2017)
06/02/2017	<u>1251</u>	Brief re <u>1226</u> Order <i>Defendants' Rule 72 Objection to Discovery Order No. 51</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – 4/21/2017 Hearing Transcript Excerpt)(Zott, David) (Entered: 06/02/2017)
06/02/2017	<u>1252</u>	REPLY Brief filed by Defendant Defendants' Counsel re: <u>1187</u> MOTION to Dismiss <i>Providers' Consolidated Fourth Amended Complaint</i> filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 06/02/2017)
06/05/2017	<u>1253</u>	SUBSCRIBER plaintiffs' notice of withdrawal of Motion to Compel Additional Custodians <u>1232</u> SEALED MOTION (Hellums, Christopher) Modified on 6/6/2017 (KAM,). (Entered: 06/05/2017)
06/05/2017	<u>1254</u>	RESPONSE in Opposition re <u>1232</u> SEALED MOTION <i>Subscriber Plaintiffs' Motion to Compel Supplemental Production Custodians</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 2017.04.20 C&M Plan Letter to Subscribers, # <u>2</u> Exhibit B – 2017.05.23 C&M Plan Letter to Subscribers, # <u>3</u> Exhibit C – 2017.06.05 C&M Plan Letter to Subscribers, # <u>4</u> Exhibit D – 2016.04.13 Letter re C&M Plan Unstructured Scope)(Sooy, Kathleen) (Entered: 06/05/2017)
06/06/2017	<u>1255</u>	NOTICE of Appearance by Susan M Razzano on behalf of BCS Financial Corporation, BCS Insurance Company (Razzano, Susan) (Entered: 06/06/2017)
06/06/2017	<u>1256</u>	NOTICE of Appearance by Lisa Cipriano on behalf of BCS Financial Corporation, BCS Insurance Company (Cipriano, Lisa) (Entered: 06/06/2017)
06/06/2017	<u>1257</u>	Defendants' Submission Regarding Standard of Review Discovery. (Zott, David) Modified on 6/7/2017 (JLC). (Entered: 06/06/2017)
06/06/2017	<u>1258</u>	STATUS REPORT <i>Subscriber Plaintiffs' Status Report On Paper Discovery and Depositions for Legal Standard Briefing</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Hellums, Christopher) (Entered: 06/06/2017)
06/07/2017	<u>1259</u>	Transcript of Proceedings held on 5/18/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Lindy M. Fuller, Telephone number 205–278–2062. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%

			20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/28/2017. Redacted Transcript Deadline set for 7/8/2017. Release of Transcript Restriction set for 9/5/2017. (JLC) (Entered: 06/07/2017)
06/07/2017	<u>1260</u>		STATUS REPORT <i>Regarding Discovery and Depositions for Standard of Review Briefing (Provider Plaintiffs)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Brown, W) (Entered: 06/07/2017)
06/07/2017	<u>1261</u>		Opposition to re <u>1251</u> <i>Defendants' Rule 72 Objection to Discovery Order No. 51 (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 06/07/2017)
06/07/2017	<u>1262</u>		SUBSCRIBER PLAINTIFFS'RESPONSE to re <u>1251</u> <i>Defendants'Rule 72 Objections to DISCOVERY ORDER NO> 51</i> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) Modified on 6/8/2017 (KAM,). (Entered: 06/07/2017)
06/07/2017	<u>1263</u>		STATUS REPORT <i>Subscriber Plaintiffs' Supplement To Status Report On Paper Discovery And Depositions For Legal Standard Briefing</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Hellums, Christopher) (Entered: 06/07/2017)
06/08/2017			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 6/8/2017. (Court Reporter Leah Turner.) (KLL) (Entered: 06/08/2017)
06/08/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 6/8/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 06/08/2017)
06/08/2017	<u>1264</u>		DISCOVERY ORDER NO. 52. Signed by Magistrate Judge T Michael Putnam on 6/8/2017. (KAM,) (Entered: 06/08/2017)
06/09/2017			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 6/9/2017. (KLL) (Entered: 06/09/2017)
06/09/2017			Minute Entry for proceedings held before Judge R David Proctor: hearing terminated. (KLL) (Entered: 06/09/2017)
06/12/2017	<u>1265</u>		NOTICE of Change of Address by Gwendolyn C Payton (Payton, Gwendolyn) (Entered: 06/12/2017)
06/12/2017	<u>1266</u>		MOTION for Protective Order <i>Regarding the Notice to Take the Deposition of Robin Stone, Vice President of Governmental Affairs</i> by Defendants' Counsel. (Burkhalter, Carl) Modified on 6/14/2017 (KAM,). (Entered: 06/12/2017)
06/12/2017	<u>1267</u>		NOTICE by Plaintiffs' Liaison Counsel re <u>1241</u> MOTION to Compel by <i>Subscriber Plaintiffs' of Production of Data Regarding Premiums and Total Claims Data</i> (Ragsdale, Barry) (Entered: 06/12/2017)
06/12/2017	1268		TEXT ORDER re <u>1266</u> MOTION for Protective Order <i>Regarding the Notice to Take the Deposition of Robin Stone, Vice President of Governmental Affairs</i> filed by Defendants' Counsel. Any response to the motion is due no

			later than 4:00 p.m. CST on Tuesday, June 13, 2017. Signed by Magistrate Judge T Michael Putnam on June 12, 2017. (AMP) (Entered: 06/12/2017)
06/12/2017	<u>1269</u>		RESPONSE in Opposition re <u>1241</u> MOTION to Compel by <i>Subscriber Plaintiffs' of Production of Data Regarding Premiums and Total Claims Data (as to certain Hogan Lovells Defendants)</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7 (Declaration of Robert Tierney), # <u>8</u> Exhibit 8 (Declaration of Renee Baxter), # <u>9</u> Exhibit 9 (Declaration of Sam Griffin), # <u>10</u> Exhibit 10 (Declaration of Catherine Mitchell), # <u>11</u> Exhibit 11 (Declaration of Nancy Colton), # <u>12</u> Exhibit 12 (Declaration of Adrian Serio))(Hoover, Craig) (Entered: 06/12/2017)
06/13/2017	<u>1270</u>		Transcript of Proceedings held on June 8, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/4/2017. Redacted Transcript Deadline set for 7/14/2017. Release of Transcript Restriction set for 9/11/2017. (Attachments: # <u>1</u> certification page) (KAM,) (Entered: 06/13/2017)
06/13/2017	<u>1271</u>		RESPONSE in Opposition re <u>1266</u> MOTION for Protective Order <i>Regarding the Notice to Take the Deposition of Robin Stone, Vice President of Governmental Affairs</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 06/13/2017)
06/13/2017	<u>1272</u>		STIPULATION <i>Defendants' Stipulation as to the Authentication and Admissibility of Certain License Agreements</i> by Defendants' Counsel. filed by Defendants' Counsel (Zott, David) (Entered: 06/13/2017)
06/14/2017	<u>1273</u>		MOTION to Set Timeline for Plaintiffs to Identify Documents for Standard of Review Depositions by Defendants' Counsel. (Hoover, Craig) (Entered: 06/14/2017)
06/14/2017	<u>1274</u>		DISCOVERY ORDER No. 53. Signed by Magistrate Judge T Michael Putnam on 6/14/2017. (KAM) (Entered: 06/14/2017)
06/14/2017	<u>1275</u>		STATUS REPORT on <i>Subscriber Plaintiffs' Motion to Compel Supplemental Production Custodians</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F, # <u>3</u> Exhibit G)(Sooy, Kathleen) (Entered: 06/14/2017)
06/14/2017	<u>1276</u>		Brief re <u>1232</u> SEALED MOTION <i>Supplemental Brief in Support of Subscriber Plaintiffs' Motion to Compel Supplemental Production Custodians</i> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Ragsdale, Barry) (Entered: 06/14/2017)

06/14/2017	<u>1277</u>		REPLY to Response to Motion re <u>1241</u> MOTION to Compel by <i>Subscriber Plaintiffs' of Production of Data Regarding Premiums and Total Claims Data</i> filed by Plaintiffs' Liaison Counsel. (Lemmon, Andrew) (Entered: 06/14/2017)
06/15/2017	<u>1278</u>		Transcript of Proceedings held on 6/8/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/6/2017. Redacted Transcript Deadline set for 7/16/2017. Release of Transcript Restriction set for 9/13/2017. (KAM,) (Entered: 06/15/2017)
06/15/2017	<u>1279</u>		Transcript of Proceedings held on 6/9/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/6/2017. Redacted Transcript Deadline set for 7/16/2017. Release of Transcript Restriction set for 9/13/2017. (KAM,) (Entered: 06/15/2017)
06/15/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 6/15/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 06/15/2017)
06/16/2017	<u>1280</u>		ORDER – parties are directed to report to the court, by filing, no later than 4:00 p.m. CDT on Monday, June 19, 2017, whether agreement has been reached with regard to the non–Alabama 30(b)(6) depositions related to legal standard of review.Signed by Magistrate Judge T Michael Putnam on 6/16/2017. (KAM) (Entered: 06/16/2017)
06/16/2017	<u>1281</u>		DISCOVERY ORDER No. 54 denying <u>1232</u> Subscriber pla's Motion to Compel supplemental production custodians. Signed by Magistrate Judge T Michael Putnam on 6/16/2017. (KAM) Modified on 6/16/2017 (KAM,). (Entered: 06/16/2017)
06/16/2017	1282		TEXT ORDER re <u>1066</u> Motion to Clarify Discovery Order No. 45. Following discussions with the parties during the telephone conference held on June 15, 2017, the motion hereby is MOOT. Signed by Magistrate Judge T Michael Putnam on June 16, 2017. (AMP) (Entered: 06/16/2017)

06/19/2017	<u>1283</u>		Transcript of Proceedings held on June 15, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/10/2017. Redacted Transcript Deadline set for 7/20/2017. Release of Transcript Restriction set for 9/17/2017. (Attachments: # <u>1</u> certification) (KAM,) (Entered: 06/19/2017)
06/19/2017	<u>1284</u>		STATUS REPORT of <i>Liaison Counsel Regarding 30(b)(6) Topics for Standard of Review Discovery</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 06/19/2017)
06/19/2017	<u>1285</u>		DISCOVERY ORDER NO. 55 granting <u>1273</u> Motion to set timeline for plaintiffs to indentify documents for standard of review depositions. Signed by Magistrate Judge T Michael Putnam on 6/19/2017. (KAM,) (Entered: 06/19/2017)
06/20/2017	<u>1286</u>		ORDER overruling <u>1251</u> Objection to Discovery Order No 51 by Defendants' Counsel ; Status Conference set for 10/5/2017 09:00 AM before Judge R David Proctor.The Special Master will provide a call in number for the conference. On or before Friday, September 29, 2017, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference, including a briefing schedule on anticipated motions for class certification. Signed by Judge R David Proctor on 6/20/20017. (KAM,) (Entered: 06/20/2017)
06/20/2017	<u>1287</u>		DISCOVERY ORDER NO. 56 granting <u>1241</u> Motion to Compel certain defendants to produce structured data relating to total claims expense per group per year during the class period as set out in this order; data shall be produced to the Subscriber Plaintiffs within 30 days. Signed by Magistrate Judge T Michael Putnam on 6/20/2017. (KAM) (Entered: 06/20/2017)
06/20/2017	<u>1288</u>		MOTION to Amend/Correct <u>1285</u> Order on Motion for Miscellaneous Relief and Status Report regarding <i>30(b)(6) Topics for Standard of Review Depositions by Anthem, BCBSFL, BCBSNC, and BCBSNC</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A– M. Jones email, # <u>2</u> Text of Proposed Order)(Hoover, Craig) (Entered: 06/20/2017)
06/20/2017	<u>1289</u>		STATUS REPORT Regarding <i>30(b)(6) Topics for Standard of Review Depositions and Motion to Amend Discovery Order No. 55</i> by Health Care Service Corporation, Highmark Inc., Blue Shield of California. filed by Health Care Service Corporation, Highmark Inc., Blue Shield of California (Zolner, Erica) (Entered: 06/20/2017)
06/20/2017	<u>1290</u>		STATUS REPORT for <i>BCBS Michigan regarding 30(b)(6) Topics for Standard of Review Depositions</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit A)(Campbell, Andrew)

			(Entered: 06/20/2017)
06/20/2017	<u>1291</u>		STATUS REPORT <i>Report of Capital BlueCross Regarding 30(b)(6) Topics for Standard of Review Deposition and Joinder in Motion to Amend Discovery Order No. 55</i> by Defendants' Counsel. filed by Defendants' Counsel (Payne, Joshua) (Entered: 06/20/2017)
06/20/2017	<u>1292</u>		TEXT ORDER re <u>1288</u> Report for Anthem, BCBSFL, BCBSSC, and BCBSNC Regarding 30(b)(6) Topics for Standard of Review Depositions and Motion to Amend Discovery Order No. 55. Any response to the Motion is due by no later than 10:00 a.m. CDT on Thursday, June 22, 2017. Signed by Magistrate Judge T Michael Putnam on June 20, 2017. (AMP) (Entered: 06/20/2017)
06/20/2017	<u>1293</u>		STATUS REPORT <i>Report of CareFirst, Inc., CareFirst of Maryland, Inc., Group Hospitalization and Medical Services, Inc., and CareFirst BlueChoice, Inc. Regarding 30(b)(6) Topics for Standard of Review Depositions and Notice of Joinder in Motion to Amend Discovery Order 55</i> by Defendants' Counsel. filed by Defendants' Counsel (Norman, Brian) (Entered: 06/20/2017)
06/20/2017	<u>1294</u>		STATUS REPORT <i>for BCBS Tennessee Regarding 30(b)(6) Topics for Standard of Review Depositions</i> by Defendants' Counsel. filed by Defendants' Counsel (Kennedy, Lauren) (Entered: 06/20/2017)
06/21/2017	<u>1295</u>		Consent MOTION to Amend/Correct <i>Discovery Order No. 55</i> by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 06/21/2017)
06/22/2017	<u>1296</u>		ORDER AMENDED DISCOVERY ORDER NO 55. Signed by Magistrate Judge T Michael Putnam on 6/22/2017. (KAM,) (Entered: 06/22/2017)
06/23/2017	<u>1297</u>		MOTION to Quash <i>or Modify Provider Plaintiffs' Subpoenas to BCS Financial Corporation and BCS Insurance Company or, in the Alternative, Motion for Protective Order</i> by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Campbell, Andrew) (Entered: 06/23/2017)
06/23/2017	<u>1298</u>		MOTION to Quash <i>Provider Plaintiffs' Subpoenas to BCS Insurance Company and BCS Financial Corporation or in the alternative Motion for Protective Order</i> by Blue Cross and Blue Shield of Alabama. (Given, Robert) (Entered: 06/23/2017)
06/23/2017	<u>1299</u>		Consent MOTION to Amend/Correct <u>1287</u> Order on Motion to Compel, <i>Discovery Order No. 56</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Lemmon, Andrew) (Entered: 06/23/2017)
06/23/2017	<u>1300</u>		RESPONSE to re <u>1235</u> <i>Motion to Compel</i> filed by BCS Financial Corporation, BCS Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11)(Razzano, Susan) (Entered: 06/23/2017)
06/26/2017	<u>1301</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT The court ORDERS that the Special Master's application for payment is approved as set out within. Signed by Judge R David Proctor on 6/26/17. (SAC) (Entered: 06/26/2017)

06/26/2017	<u>1302</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT The court ORDERS that the Special Master's application for payment is approved as setout within. Signed by Judge R David Proctor on 6/26/17. (SAC) (Entered: 06/26/2017)
06/27/2017	<u>1303</u>		ORDER GRANTING <u>1299</u> Consent MOTION to Amend Discovery Order No. 56 as set out herein. Signed by Judge R David Proctor on 6/27/2017. (JLC) (Entered: 06/27/2017)
06/27/2017	<u>1304</u>		ORDER DENYING WITHOUT PREJUDICE Provider Plaintiffs' <u>1064</u> MOTION for Order Directing Provider Plaintiffs and Subscriber Plaintiffs to Proceed on Separate Tracks for All Discovery Purposes. Signed by Judge R David Proctor on 6/27/2017. (JLC) (Entered: 06/27/2017)
06/27/2017	<u>1305</u>		DEFENDANTS' MOTION to Compel <i>Third Parties to Respond to Subpoenas Before the Discovery Cut-off</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – 6/8/17 Hearing Transcript Excerpt, # <u>2</u> Exhibit 2 – 12/2/16 Subpoena to Cedars-Sinai, # <u>3</u> Exhibit 3 – 11/30/16 Subpoena to Tenet Healthcare, # <u>4</u> Exhibit 4 – 1/31/17 Snavelly Email to Owen, # <u>5</u> Exhibit 5 – 4/13/17 Salomon Letter to Owen, # <u>6</u> Exhibit 6 – 5/18/17 Salomon Letter to Owen, # <u>7</u> Exhibit 7 – 6/14/17 Salomon Letter to Owen, # <u>8</u> Exhibit 8 – 2/29/16 Subpoena to Viva Health, # <u>9</u> Exhibit 9 – 4/26/17 Salomon Letter to Ezelle)(Cottrell, Christa) Modified on 9/25/2017 (KAM,). (Entered: 06/27/2017)
06/28/2017	<u>1306</u>		MEMORANDUM OPINION. Signed by Judge R David Proctor on 6/28/2017. (KAM) (Entered: 06/28/2017)
06/28/2017	<u>1307</u>		ORDER in accordance with the accompanying memo opinion, denying <u>1187</u> Motion to Dismiss. Signed by Judge R David Proctor on 6/28/2017. (KAM) (Entered: 06/28/2017)
06/28/2017	<u>1308</u>		ORDER Defendants are DIRECTED to certify, by no later than Friday, June 30, 2017, that non-parties who have not appeared in the CM/ECF filing system for this case have been served with the motion. Along with the certification, Defendants are DIRECTED to provide to the court the appropriate service address for the non-parties targeted by the motion and, if the non-parties are represented by counsel, the contact information for the attorney(s) representing the non-parties.Signed by Magistrate Judge T Michael Putnam on 6/28/2017. (KAM) (Entered: 06/28/2017)
06/28/2017	<u>1309</u>		RESPONSE in Opposition re <u>1298</u> MOTION to Quash <i>Provider Plaintiffs' Subpoenas to BCS Insurance Company and BCS Financial Corporation or in the alternative Motion for Protective Order</i> , <u>1297</u> MOTION to Quash or Modify <i>Provider Plaintiffs' Subpoenas to BCS Financial Corporation and BCS Insurance Company or, in the Alterntaive, Motion for Protective Order (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 06/28/2017)
06/29/2017	1310		TEXT ORDER finding as moot <u>849</u> Motion to Compel following the Discovery Conference held June 29, 2017. Signed by Magistrate Judge T Michael Putnam on June 29, 2017. (AMP) (Entered: 06/29/2017)
06/29/2017	1311		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, July 27, 2017, at 1:00 PM in Courtroom 3B

			of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended, unless otherwise ordered by the court. Signed by Magistrate Judge T Michael Putnam on June 29, 2017. (AMP) (Entered: 06/29/2017)
06/29/2017	<u>1312</u>		CERTIFICATE OF SERVICE by Defendants' Counsel re <u>1305</u> MOTION to Compel <i>Third Parties to Respond to Subpoenas Before the Discovery Cut-off Filed in Response to <u>1308</u> Order</i> (Cottrell, Christa) (Entered: 06/29/2017)
06/29/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 6/29/2017: re <u>1235</u> , <u>1297</u> , <u>1298</u> ; argument by counsel; hrg adj (Court Reporter Sabrina Lewis) (ASL) (Entered: 06/29/2017)
06/30/2017	<u>1313</u>		ORDER Setting Hearing on Motion <u>1305</u> MOTION to Compel <i>Third Parties to Respond to Subpoenas Before the Discovery Cut-off</i> :The subpoena targets, Viva Health, Cedars-Sinai Medical Center, Tenet Healthcare, the University of North Carolina Health Care, and Adventist Health System, may respond to the Motion to Compel no later than Friday, July 14, 2017. A reply brief by the moving defendants, if any, is due Friday, July 21, 2017; Motion Hearing set for 7/27/2017 01:00 PM before Magistrate Judge T Michael Putnam.. Signed by Magistrate Judge T Michael Putnam on 6/30/2017. (KAM,) (Entered: 06/30/2017)
07/05/2017	<u>1314</u>		MOTION for Disclosure <i>Subscriber Plaintiffs' Motion to Require Known Witness Disclosure by July 25, 2017</i> by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 07/05/2017)
07/05/2017	<u>1315</u>		MOTION for Extension of Time to <i>Complete Production of Documents Pursuant to Provider Plaintiffs' Supplemental Search Terms</i> by Blue Cross and Blue Shield of Alabama. (Malatesta, John) (Entered: 07/05/2017)
07/06/2017	<u>1316</u>		RESPONSE in Opposition re <u>1314</u> MOTION for Disclosure <i>Subscriber Plaintiffs' Motion to Require Known Witness Disclosure by July 25, 2017</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 07/06/2017)
07/06/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 7/6/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 07/06/2017)
07/06/2017	<u>1317</u>		DISCOVERY ORDER No. 57 – granting in part and denying in part <u>1235</u> Motion to Compel as further set out in this order; finding as moot <u>1297</u> Motion to Quash; finding as moot <u>1298</u> Motion to Quash. Signed by Magistrate Judge T Michael Putnam on 7/6/2017. (KAM,) (Entered: 07/06/2017)
07/06/2017	<u>1318</u>		STIPULATION of Dismissal of <i>Claims of Plaintiffs Heritage Medical Partners, LLC; John Clifton Crosby, M.D.; and Wini Hamilton, D.C. Without Prejudice (Joint)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 07/06/2017)
07/07/2017	<u>1319</u>		ORDER granting in part and denying in part <u>1314</u> Motion for Disclosure; granting <u>1315</u> Motion for Extension of Time. Signed by Magistrate Judge T

			Michael Putnam on 7/7/2017. (KAM,) (Entered: 07/07/2017)
07/07/2017	<u>1320</u>		ORDER OF DISMISSAL in accordance with the stipulation of the parties, the claims of plaintiffs Heritage Medical Partners, LLC, Jon Clifton Crosby, MD and Wini Hamilton DC shall be and are DISMISSED WITHOUT PREJUDICE; the parties to bear their own costs, expenses and atty fees. Signed by Judge R David Proctor on 7/7/2017. (KAM,) (Entered: 07/07/2017)
07/10/2017	<u>1321</u>		<i>Blue Cross and Blue Shield Association's</i> ANSWER to Complaint with Jury Demand (<i>Provider Track's Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Zott, David) (Entered: 07/10/2017)
07/10/2017	<u>1322</u>		<i>Independence Hospital Indemnity Plan, Inc.'s Answer and Affirmative Defenses</i> ANSWER to Complaint with Jury Demand (<i>Provider Track's Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Adcox, Rachel) (Entered: 07/10/2017)
07/10/2017	<u>1323</u>		ANSWER to Complaint with Jury Demand by Health Care Service Corporation, Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc..(Zeiger, Jeffrey) (Entered: 07/10/2017)
07/10/2017	<u>1324</u>		<i>Premera Blue Cross's Answer and Affirmative Defenses to Consolidated Fourth Amended Provider Complaint</i> ANSWER to Complaint with Jury Demand by Premera Blue Cross.(Payton, Gwendolyn) (Entered: 07/10/2017)
07/11/2017	<u>1325</u>		Transcript of Proceedings held on June 29, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278-2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/1/2017. Redacted Transcript Deadline set for 8/11/2017. Release of Transcript Restriction set for 10/9/2017. (MRR,) (Entered: 07/11/2017)
07/11/2017	<u>1326</u>		Transcript of Proceedings held on 7/6/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/1/2017. Redacted Transcript Deadline set for 8/11/2017.

			Release of Transcript Restriction set for 10/9/2017. (Attachments: # <u>1</u> certification) (KAM,) (Entered: 07/11/2017)
07/12/2017	<u>1327</u>		MOTION Plaintiffs' Motion to Impose Deadline For BCBSAL To Produce Documents Responsive To Discovery Order No. 41 Search Terms by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 07/12/2017)
07/12/2017	<u>1328</u>		Wellmark's ANSWER to Complaint with Jury Demand (<i>Provider Track's Fourth Amended Consolidated Class Action Complaint</i>) by Defendants' Counsel.(Zott, David) (Entered: 07/12/2017)
07/12/2017	<u>1329</u>		Highmark Inc.'s Answer & Affirmative Defenses to Consolidated Fourth Amended Provider Complaint ANSWER to Complaint with Jury Demand by Highmark Inc..(West, Kimberly) (Entered: 07/12/2017)
07/12/2017	<u>1330</u>		Blue Shield of California's Answer & Affirmative Defenses to Consolidated Fourth Amended Provider Complaint ANSWER to Complaint with Jury Demand by Blue Shield of California.(West, Kimberly) (Entered: 07/12/2017)
07/12/2017	<u>1331</u>		Defendant CareFirst, Inc.'s Answer and Affirmative Defenses to Consolidated Fourth Amended Provider Complaint ANSWER to Complaint with Jury Demand by Defendants' Counsel.(Norman, Brian) (Entered: 07/12/2017)
07/12/2017	<u>1332</u>		Defendant CareFirst of Maryland, Inc.'s Answer and Affirmative Defenses to Consolidated Fourth Amended Provider Complaint ANSWER to Complaint with Jury Demand by Defendants' Counsel.(Norman, Brian) (Entered: 07/12/2017)
07/12/2017	<u>1333</u>		Defendant General Hospitalization and Medical Services, Inc.'s Answer and Affirmative Defenses to Consolidated Fourth Amended Provider Complaint ANSWER to Complaint with Jury Demand by Defendants' Counsel.(Norman, Brian) (Entered: 07/12/2017)
07/12/2017	<u>1334</u>		ANSWER TO Providers' Consoliated Fourth Amended Complaint by Blue Cross Blue Shield Michigan. (Campbell, Andrew) Correcting docket – not a motion) Modified on 7/13/2017 (KAM). (Entered: 07/12/2017)
07/12/2017	<u>1335</u>		Answer to Consol 4th Amended Complaint ANSWER to Complaint with Jury Demand by Blue Cross Blue Shield Michigan.(Campbell, Andrew) (Entered: 07/12/2017)
07/12/2017	<u>1336</u>		ANSWER to Complaint Blue Cross and Blue Shield of Alabama's Answer and Affirmative Defenses to Consolidated Fourth Amended Provider Complaint by Blue Cross and Blue Shield of Alabama.(Burkhalter, Carl) (Entered: 07/12/2017)
07/12/2017	<u>1337</u>		ANSWER to Complaint with Jury Demand BlueCross BlueShield of Tennessee, Inc.'s Answer and Affirmative Defenses to Consolidated Fourth Amended Provider Complaint by Defendants' Counsel.(DeMasi, Karin) (Entered: 07/12/2017)
07/13/2017	<u>1338</u>		MOTION for Leave to File Excess Pages Plaintiffs' Expedited Motion To Extend Page Limit for Legal Standard of Review Briefs by Plaintiffs' Liaison

		Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 07/13/2017)
07/13/2017	<u>1339</u>	RESPONSE to Motion re <u>1338</u> MOTION for Leave to File Excess Pages <i>Plaintiffs' Expedited Motion To Extend Page Limit for Legal Standard of Review Briefs</i> filed by Defendants' Counsel. (Zott, David) (Entered: 07/13/2017)
07/13/2017		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 7/13/2017. (Court Reporter Sabrina Lewis) (ASL) (Entered: 07/13/2017)
07/13/2017	<u>1340</u>	MOTION to Compel <i>Compliance with Rule 45 By Navigant Consulting, Inc. (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Text of Proposed Order)(Brown, W) (Entered: 07/13/2017)
07/13/2017	<u>1341</u>	MOTION to Compel <i>National Insurers to Produce Documents</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – Subpoena to Aetna, # <u>2</u> Exhibit B – 10/14/16 Stenerson Letter to Lipton, # <u>3</u> Exhibit C – 10/17/16 Stenerson Letter to Bial, # <u>4</u> Exhibit D – 1/19/17 Stenerson Letter to Lipton, # <u>5</u> Exhibit E – 6/22/17 Lipton Email to Stenerson, # <u>6</u> Exhibit F – 6/27/17 McPhie Letter to Stenerson, # <u>7</u> Exhibit G – 5/30/17 Bush Letter to Stenerson, # <u>8</u> Exhibit H – 7/10/17 Wilson Email to Stenerson, # <u>9</u> Exhibit I – 8/9/16 Tompkins Letter to Stenerson)(Cottrell, Christa) (Entered: 07/13/2017)
07/13/2017	<u>1345</u>	SEALED MOTION – PROVIDER PLAINTIFFS MOTION TO ENFORCE DISCOVERY ORDER NO. 44 OR, IN THE ALTERNATIVE, TO COMPEL OPTUMINSIGHT, INC. TO PRODUCE CLAIMS DATA FOR THE 20072009 TIME PERIOD (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(KAM,) (Entered: 07/14/2017)
07/14/2017	<u>1342</u>	ORDER granting <u>1338</u> Motion for Leave to File Excess Pages; It is ORDERED as follows: (1) The page limit for opening legal standard of review briefs due July 17, 2017 is increased to 50 pages; (2) The page limit for responsive briefs due August 14, 2017 is increased to 50 pages; and (3) The page limit for reply briefs due August 28, 2017 is increased to 20 pages. Signed by Judge R David Proctor on 7/14/2017. (KAM) (Entered: 07/14/2017)
07/14/2017	1343	TEXT ORDER re <u>1340</u> Provider Plaintiffs' MOTION to Compel Compliance with Rule 45 By Navigant Consulting, Inc. Any response to the motion is due by Friday, July 21, 2017. Movant's reply, if any, is due no later than Tuesday, July 25, 2017. Argument on the motion will be heard at the Discovery Status Conference set for Thursday, July 27, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on July 14, 2017. (AMP) (Entered: 07/14/2017)
07/14/2017	1344	TEXT ORDER re <u>1341</u> Certain Defendants' MOTION to Compel National Insurers to Produce Documents. Any response to the motion is due by Friday, July 21, 2017. Movant's reply, if any, is due no later than Tuesday, July 25, 2017. Argument on the motion will be heard at the Discovery Status

		Conference set for Thursday, July 27, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on July 14, 2017. (AMP) (Entered: 07/14/2017)
07/14/2017	1346	TEXT ORDER re <u>1345</u> Provider Plaintiffs' Motion to Enforce Discovery Order No. 44 or, in the Alternative, to Compel OptumInsight, Inc., to Produce Claims Data for the 2007–2009 Time Period. Any response to the motion is due by Friday, July 21, 2017. Movant's reply, if any, is due no later than Tuesday, July 25, 2017. Argument on the motion will be heard at the Discovery Status Conference set for Thursday, July 27, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on July 14, 2017. (AMP,) (Entered: 07/14/2017)
07/14/2017	<u>1347</u>	RESPONSE in Opposition re <u>1305</u> MOTION to Compel <i>Third Parties to Respond to Subpoenas Before the Discovery Cut-off and Motion to Quash</i> filed by Adventist Health System Sunbelt Healthcare Corporation, Cedars–Sinai Medical Center, Tenet Healthcare, University of North Carolina Health Care System. (Attachments: # <u>1</u> Exhibit Ex 1 Owen Declaration, # <u>2</u> Exhibit Ex 1 – A1, # <u>3</u> Exhibit Ex 1 – A2, # <u>4</u> Exhibit Ex 1 – A3, # <u>5</u> Exhibit Ex 1 – A4, # <u>6</u> Exhibit Ex 1 – A5, # <u>7</u> Exhibit Ex 1 – A6, # <u>8</u> Exhibit Ex 1 – A7, # <u>9</u> Exhibit Ex 1 – A8, # <u>10</u> Exhibit Ex 1 – A9, # <u>11</u> Exhibit Ex 1 – A10, # <u>12</u> Exhibit Ex 1 – A11, # <u>13</u> Exhibit Ex 1 – A12, # <u>14</u> Exhibit Ex 1 – A13, # <u>15</u> Exhibit Ex 1 – A14, # <u>16</u> Exhibit Ex 1 – A15, # <u>17</u> Exhibit Ex 1 – A16, # <u>18</u> Exhibit Ex 1 – A17, # <u>19</u> Exhibit Ex 1 – A18, # <u>20</u> Exhibit Ex 1 – A19, # <u>21</u> Exhibit Ex 1 – A20, # <u>22</u> Exhibit Ex 1 – A21, # <u>23</u> Exhibit Exhibit 2 McCaffery Declaration, # <u>24</u> Exhibit Exhibit 3 Jordan Declaration, # <u>25</u> Exhibit Exhibit 4 Trott Declaration, # <u>26</u> Exhibit Exhibit 5 Ridgell Declaration, # <u>27</u> Exhibit Exhibit 6 Parrott Declaration)(Brady, P) (Entered: 07/14/2017)
07/17/2017	<u>1348</u>	SUBSCRIBER PLAINTIFFS' MOTION for Partial Summary Judgment <i>by Subscriber Plaintiffs</i> by Plaintiffs' Counsel. (Hellums, Christopher) Modified on 9/25/2017 (KAM,). (Entered: 07/17/2017)
07/17/2017	<u>1349</u>	***Document Sealed – Defendant's Brief in support of their Motion for Summary Judgment on plaintiffs' Section 1, Per Se, and Quick Look Claims and Certain Exhibits (Attachments: # <u>1</u> Exhibit 4, # <u>2</u> Exhibit 14, # <u>3</u> Exhibit 32, # <u>4</u> Exhibit 33, # <u>5</u> Exhibit 34, # <u>6</u> Exhibit 37, # <u>7</u> Exhibit 38, # <u>8</u> Exhibit 41, # <u>9</u> Exhibit 42, # <u>10</u> Exhibit 43, # <u>11</u> Exhibit 44, # <u>12</u> Exhibit 45, # <u>13</u> Exhibit 47, # <u>14</u> Exhibit 48, # <u>15</u> Exhibit 49, # <u>16</u> Exhibit 50, # <u>17</u> Exhibit 51, # <u>18</u> Exhibit 52, # <u>19</u> Exhibit 53, # <u>20</u> Exhibit 54, # <u>21</u> Exhibit 55, # <u>22</u> Exhibit 56, # <u>23</u> Exhibit 58, # <u>24</u> Exhibit 59, # <u>25</u> Exhibit 60, # <u>26</u> Exhibit 61, # <u>27</u> Exhibit 64, # <u>28</u> Exhibit 67, # <u>29</u> Exhibit 70, # <u>30</u> Exhibit 72, # <u>31</u> Exhibit 79, # <u>32</u> Exhibit 82, # <u>33</u> Exhibit 86, # <u>34</u> Exhibit 88, # <u>35</u> Exhibit 92, # <u>36</u> Exhibit 93., # <u>37</u> Exhibit 95, # <u>38</u> Exhibit 97, # <u>39</u> Exhibit 104, # <u>40</u> Exhibit 107, # <u>41</u> Exhibit 110, # <u>42</u> Exhibit 112, # <u>43</u> Exhibit 119, # <u>44</u> Exhibit 122, # <u>45</u> Exhibit 123, # <u>46</u> Exhibit 124, # <u>47</u> Exhibit 125) (KAM) (Entered: 07/17/2017)
07/17/2017	<u>1350</u>	PROVIDER PLAINTIFFS' SEALED MOTION – Provider Plaintiffs' Motion for Partial Summary Judgment. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> 1, # <u>3</u> 2, # <u>4</u>

		3, # <u>5</u> 4, # <u>6</u> 5, # <u>7</u> 6, # <u>8</u> 7, # <u>9</u> 8, # <u>10</u> 9, # <u>11</u> 10, # <u>12</u> 11, # <u>13</u> 12, # <u>14</u> 13, # <u>15</u> 14, # <u>16</u> 15, # <u>17</u> 16, # <u>18</u> 17, # <u>19</u> 18, # <u>20</u> 19, # <u>21</u> 20, # <u>22</u> 21, # <u>23</u> 22, # <u>24</u> 23, # <u>25</u> 24)(KAM,) (Additional attachment(s) added on 7/18/2017: # <u>26</u> Exhibit B, # <u>27</u> Exhibit C, # <u>28</u> Exhibit D, # <u>29</u> Exhibit E, # <u>30</u> Exhibit F, # <u>31</u> Exhibit G, # <u>32</u> Exhibit H, # <u>33</u> Exhibit I, # <u>34</u> Exhibit J, # <u>35</u> Exhibit K, # <u>36</u> Exhibit L, # <u>37</u> Exhibit M, # <u>38</u> Exhibit N, # <u>39</u> Exhibit O, # <u>40</u> Exhibit P, # <u>41</u> Exhibit Q, # <u>42</u> Exhibit R, # <u>43</u> Exhibit S, # <u>44</u> Exhibit T, # <u>45</u> Exhibit U, # <u>46</u> Exhibit V, # <u>47</u> Exhibit W, # <u>48</u> Exhibit X, # <u>49</u> Exhibit Y, # <u>50</u> Exhibit Z, # <u>51</u> Exhibit AA, # <u>52</u> Exhibit BB, # <u>53</u> Exhibit CC, # <u>54</u> Exhibit DD, # <u>55</u> Exhibit EE, # <u>56</u> Exhibit FF, # <u>57</u> Exhibit GG, # <u>58</u> Exhibit HH) (KAM,). Modified on 9/25/2017 (KAM,). (Entered: 07/17/2017)
07/17/2017	<u>1351</u>	***Document Sealed – Subscriber Plaintiffs' Memorandum of Points and Authorities in support of Subscriber Plaintiffs' Motion for Partial Summary Judgment on the Application of the Per Se Rule. (KAM)) [Should not be unsealed. Contains privileged content that was clawed back pursuant to the Courts order (Dkt. 1485). The revised sealed version of this filing can be found at Dkt. 2575.] Modified on 5/27/2020 (KAM). (Entered: 07/17/2017)
07/17/2017	<u>1352</u>	***Document Sealed – Subscriber Plaintiffs' Evidentiary Submission in support of it's Motion for Partial Summary Judgment on the Application of the Per Se Rule (KAM) (Additional attachment(s) added on 8/14/2017: # <u>1</u> Exhibit 1–1, # <u>2</u> Exhibit 1–2, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>9</u> Exhibit 6–1, # <u>10</u> Exhibit 6–2, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16, # <u>21</u> Exhibit 17, # <u>22</u> Exhibit 18, # <u>23</u> Exhibit 19, # <u>24</u> Exhibit 20, # <u>25</u> Exhibit 21, # <u>26</u> Exhibit 22, # <u>27</u> Exhibit 23, # <u>28</u> Exhibit 24, # <u>29</u> Exhibit 25, # <u>30</u> Exhibit 26, # <u>31</u> Exhibit 27, # <u>32</u> Exhibit 28, # <u>33</u> Exhibit 29, # <u>34</u> Exhibit 30) (KAM,). (Additional attachment(s) added on 8/14/2017: # <u>35</u> Exhibit 31, # <u>36</u> Exhibit 32, # <u>37</u> Exhibit 33, # <u>38</u> Exhibit 34, # <u>39</u> Exhibit 35, # <u>40</u> Exhibit 36, # <u>41</u> Exhibit 37, # <u>42</u> Exhibit 38–1, # <u>43</u> Exhibit 38–2, # <u>44</u> Exhibit 39, # <u>45</u> Exhibit 40, # <u>46</u> Exhibit 41, # <u>47</u> Exhibit 42, # <u>48</u> Exhibit 43, # <u>49</u> Exhibit 44, # <u>50</u> Exhibit 45, # <u>51</u> Exhibit 46, # <u>52</u> Exhibit 47, # <u>53</u> Exhibit 48, # <u>54</u> Exhibit 49, # <u>55</u> Exhibit 50, # <u>56</u> Exhibit 51, # <u>57</u> Exhibit 52, # <u>58</u> Exhibit 53, # <u>59</u> Exhibit 54, # <u>60</u> Exhibit 55, # <u>61</u> Exhibit 56, # <u>62</u> Exhibit 57, # <u>63</u> Exhibit 58, # <u>64</u> Exhibit 59, # <u>65</u> Exhibit 60, # <u>66</u> Exhibit 61, # <u>67</u> Exhibit 62, # <u>68</u> Exhibit 63, # <u>69</u> Exhibit 64, # <u>70</u> Exhibit 65, # <u>71</u> Exhibit 66, # <u>72</u> Exhibit 67, # <u>73</u> Exhibit 68, # <u>74</u> Exhibit 69, # <u>75</u> Exhibit 70, # <u>76</u> Exhibit 71, # <u>77</u> Exhibit 72, # <u>78</u> Exhibit 73, # <u>79</u> Exhibit 74, # <u>80</u> Exhibit 75) (KAM,). (Additional attachment(s) added on 8/15/2017: # <u>81</u> Exhibit 76, # <u>82</u> Exhibit 77, # <u>83</u> Exhibit 78, # <u>84</u> Exhibit 79, # <u>85</u> Exhibit 80, # <u>86</u> Exhibit 81, # <u>87</u> Exhibit 82, # <u>88</u> Exhibit 83, # <u>89</u> Exhibit 84, # <u>90</u> Exhibit 85, # <u>91</u> Exhibit 86, # <u>92</u> Exhibit 87, # <u>93</u> Exhibit 88, # <u>94</u> Exhibit 89, # <u>95</u> Exhibit 90, # <u>96</u> Exhibit 91, # <u>97</u> Exhibit 92, # <u>98</u> Exhibit 93, # <u>99</u> Exhibit 94, # <u>100</u> Exhibit 95, # <u>101</u> Exhibit 96, # <u>102</u> Exhibit 97, # <u>103</u> Exhibit 98, # <u>104</u> Exhibit 99, # <u>105</u> Exhibit 100–1, # <u>106</u> Exhibit 100–2, # <u>107</u> Exhibit 101, # <u>108</u> Exhibit 102, # <u>109</u> Exhibit 103, # <u>110</u> Exhibit 104, # <u>111</u> Exhibit 105) (KAM,). (Additional attachment(s) added on 8/15/2017: # <u>112</u> Exhibit 106, # <u>113</u> Exhibit 107, # <u>114</u> Exhibit 108, # <u>115</u> Exhibit 109, # <u>116</u> Exhibit 110, # <u>117</u> Exhibit 111, # <u>118</u> Exhibit 112, # <u>119</u> Exhibit 113, # <u>120</u> Exhibit 114, # <u>121</u> Exhibit 115, # <u>122</u> Exhibit 116, # <u>123</u> Exhibit 117, # <u>124</u> Exhibit 118,

		<p># <u>125</u> Exhibit 119, # <u>126</u> Exhibit 120, # <u>127</u> Exhibit 121, # <u>128</u> Exhibit 122, # <u>129</u> Exhibit 123, # <u>130</u> Exhibit 124, # <u>131</u> Exhibit 125, # <u>132</u> Exhibit 126, # <u>133</u> Exhibit 127, # <u>134</u> Exhibit 128, # <u>135</u> Exhibit 129, # <u>136</u> Exhibit 130, # <u>137</u> Exhibit 131, # <u>138</u> Exhibit 132, # <u>139</u> Exhibit 133, # <u>140</u> Exhibit 134, # <u>141</u> Exhibit 135, # <u>142</u> Exhibit 136, # <u>143</u> Exhibit 137, # <u>144</u> Exhibit 138, # <u>145</u> Exhibit 139, # <u>146</u> Exhibit 140, # <u>147</u> Exhibit 141, # <u>148</u> Exhibit 142, # <u>149</u> Exhibit 143, # <u>150</u> Exhibit 144, # <u>151</u> Exhibit 145, # <u>152</u> Exhibit 146, # <u>153</u> Exhibit 147, # <u>154</u> Exhibit 148, # <u>155</u> Exhibit 149, # <u>156</u> Exhibit 150) (KAM,). (Additional attachment(s) added on 8/17/2017: # <u>157</u> Exhibit 151, # <u>158</u> Exhibit 152, # <u>159</u> Exhibit 153, # <u>160</u> Exhibit 154, # <u>161</u> Exhibit 155, # <u>162</u> Exhibit 156, # <u>163</u> Exhibit 157, # <u>164</u> Exhibit 159, # <u>165</u> Exhibit 160, # <u>166</u> Exhibit 161, # <u>167</u> Exhibit 162, # <u>168</u> Exhibit 163, # <u>169</u> Exhibit 164, # <u>170</u> Exhibit 165, # <u>171</u> Exhibit 166, # <u>172</u> Exhibit 167-1, # <u>173</u> Exhibit 167-2, # <u>174</u> Exhibit 168, # <u>175</u> Exhibit 169, # <u>176</u> Exhibit 170-1, # <u>177</u> Exhibit 170-2, # <u>178</u> Exhibit 171, # <u>179</u> Exhibit 172, # <u>180</u> Exhibit 173, # <u>181</u> Exhibit 174, # <u>182</u> Exhibit 175, # <u>183</u> Exhibit 176, # <u>184</u> Exhibit 177, # <u>185</u> Exhibit 178, # <u>186</u> Exhibit 179, # <u>187</u> Exhibit 180, # <u>188</u> Exhibit 181, # <u>189</u> Exhibit 182, # <u>190</u> Exhibit 183, # <u>191</u> Exhibit 184, # <u>192</u> Exhibit 185, # <u>193</u> Exhibit 186, # <u>194</u> Exhibit 187, # <u>195</u> Exhibit 188, # <u>196</u> Exhibit 189, # <u>197</u> Exhibit 190) (KAM,). (Additional attachment(s) added on 8/17/2017: # <u>198</u> Exhibit 191, # <u>199</u> Exhibit 192, # <u>200</u> Exhibit 193, # <u>201</u> Exhibit 194, # <u>202</u> Exhibit 195, # <u>203</u> Exhibit 196, # <u>204</u> Exhibit 197, # <u>205</u> Exhibit 198, # <u>206</u> Exhibit 199, # <u>207</u> Exhibit 200, # <u>208</u> Exhibit 201, # <u>209</u> Exhibit 202, # <u>210</u> Exhibit 203, # <u>211</u> Exhibit 204, # <u>212</u> Exhibit 205, # <u>213</u> Exhibit 206 [Should not be unsealed. Contains privileged content and is subject to the Court's claw back order (Dkt.1485)], # <u>214</u> Exhibit 207, # <u>215</u> Exhibit 208, # <u>216</u> Exhibit 209, # <u>217</u> Exhibit 210, # <u>218</u> Exhibit 211, # <u>219</u> Exhibit 212, # <u>220</u> Exhibit 213, # <u>221</u> Exhibit 214 [Exhibit withdrawn and should not be unsealed], # <u>222</u> Exhibit 215, # <u>223</u> Exhibit 216, # <u>224</u> Exhibit 217) (KAM,). (Additional attachment(s) added on 8/18/2017: # <u>225</u> Exhibit 218, # <u>226</u> Exhibit 219, # <u>227</u> Exhibit 220, # <u>228</u> Exhibit 221, # <u>229</u> Exhibit 222, # <u>230</u> Exhibit 223) (KAM,). Modified on 5/27/2020 (KAM,). (Entered: 07/17/2017)</p>
07/17/2017	<u>1353</u>	<p>DEFENDANTS' MOTION for Summary Judgment <i>on Plaintiffs' Section 1, Per Se, and Quick Look Claims</i> by Defendants' Counsel. (Attachments: # <u>1</u> Brief in Support of the Motion, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit Slip Sheet Regarding Sealed Exhibits, # <u>4</u> Exhibit 1 Part 1, # <u>5</u> Exhibit 1 Part 2, # <u>6</u> Exhibit 1 Part 3, # <u>7</u> Exhibit 2 Part 1, # <u>8</u> Exhibit 2 Part 2, # <u>9</u> Exhibit 3, # <u>10</u> Exhibit 4, # <u>11</u> Exhibit 5, # <u>12</u> Exhibit 6, # <u>13</u> Exhibit 7 Part 1, # <u>14</u> Exhibit 7 Part 2, # <u>15</u> Exhibit 8, # <u>16</u> Exhibit 9, # <u>17</u> Exhibit 10, # <u>18</u> Exhibit 11, # <u>19</u> Exhibit 12, # <u>20</u> Exhibit 13, # <u>21</u> Exhibit 15 Part 1, # <u>22</u> Exhibit 15 Part 2, # <u>23</u> Exhibit 16, # <u>24</u> Exhibit 17, # <u>25</u> Exhibit 18, # <u>26</u> Exhibit 19 Part 1, # <u>27</u> Exhibit 19 Part 2, # <u>28</u> Exhibit 20 Part 1, # <u>29</u> Exhibit 20 Part 2, # <u>30</u> Exhibit 21, # <u>31</u> Exhibit 22 Part 1, # <u>32</u> Exhibit 22 Part 2, # <u>33</u> Exhibit 22 Part 3, # <u>34</u> Exhibit 22 Part 4, # <u>35</u> Exhibit 23, # <u>36</u> Exhibit 24 Part 1, # <u>37</u> Exhibit 24 Part 2, # <u>38</u> Exhibit 25 Part 1, # <u>39</u> Exhibit 25 Part 2, # <u>40</u> Exhibit 25 Part 3, # <u>41</u> Exhibit 25 Part 4, # <u>42</u> Exhibit 26 Part 1, # <u>43</u> Exhibit 26 Part 2, # <u>44</u> Exhibit 26 Part 3, # <u>45</u> Exhibit 27, # <u>46</u> Exhibit 28 Part 1, # <u>47</u> Exhibit 28 Part 2, # <u>48</u> Exhibit 29, # <u>49</u> Exhibit 30, # <u>50</u> Exhibit 31, # <u>51</u> Exhibit 32, # <u>52</u> Exhibit 35, # <u>53</u> Exhibit 36, # <u>54</u> Exhibit 39, # <u>55</u> Exhibit 40, # <u>56</u> Exhibit 46, # <u>57</u> Exhibit 57, # <u>58</u> Exhibit 62, # <u>59</u> Exhibit 63, # <u>60</u> Exhibit 65, # <u>61</u></p>

		Exhibit 66, # <u>62</u> Exhibit 68, # <u>63</u> Exhibit 69, # <u>64</u> Exhibit 71, # <u>65</u> Exhibit 73, # <u>66</u> Exhibit 74, # <u>67</u> Exhibit 75, # <u>68</u> Exhibit 76, # <u>69</u> Exhibit 77, # <u>70</u> Exhibit 78, # <u>71</u> Exhibit 80 Part 1, # <u>72</u> Exhibit 80 Part 1, # <u>73</u> Exhibit 81, # <u>74</u> Exhibit 83, # <u>75</u> Exhibit 84, # <u>76</u> Exhibit 85, # <u>77</u> Exhibit 87, # <u>78</u> Exhibit 89, # <u>79</u> Exhibit 90, # <u>80</u> Exhibit 91, # <u>81</u> Exhibit 94, # <u>82</u> Exhibit 96, # <u>83</u> Exhibit 98, # <u>84</u> Exhibit 99, # <u>85</u> Exhibit 100, # <u>86</u> Exhibit 101, # <u>87</u> Exhibit 102, # <u>88</u> Exhibit 103, # <u>89</u> Exhibit 105, # <u>90</u> Exhibit 106, # <u>91</u> Exhibit 108, # <u>92</u> Exhibit 109, # <u>93</u> Exhibit 111, # <u>94</u> Exhibit 113, # <u>95</u> Exhibit 114 Part 1, # <u>96</u> Exhibit 114 Part 1, # <u>97</u> Exhibit 115, # <u>98</u> Exhibit 116, # <u>99</u> Exhibit 117, # <u>100</u> Exhibit 118, # <u>101</u> Exhibit 120, # <u>102</u> Exhibit 121, # <u>103</u> Exhibit 126, # <u>104</u> Exhibit 127)(Zott, David) Modified on 9/25/2017 (KAM,). (Entered: 07/17/2017)
07/18/2017	1354	TEXT ORDER granting <u>1327</u> Plaintiffs' Motion to Impose Deadline for BCBSAL to Produce Documents Responsive to Discovery Order No. 41 Search Terms. The Motion is GRANTED insofar as Blue Cross Blue Shield of Alabama shall produce responsive documents by August 9, 2017. Production, however, should be made prior to the deadline where possible. Signed by Magistrate Judge T Michael Putnam on July 18, 2017. (AMP) (Entered: 07/18/2017)
07/18/2017	<u>1355</u>	MOTION to Withdraw as Attorney by Premera Blue Cross. (Wilson, Erin) (Entered: 07/18/2017)
07/18/2017	<u>1356</u>	MOTION to Compel <i>Provider Plaintiffs' Motion to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Blue Cross Studies and Data from the Blue Cross Liability Database</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(Whatley, Joe) (Entered: 07/18/2017)
07/18/2017	1357	TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by attorney Erin M. Wilson. <u>1355</u> The Motion <u>1355</u> is GRANTED. The Clerk of the Court is directed to terminate attorney Erin M. Wilson. Signed by Judge R David Proctor on 7/18/2017. (KAM,) (Entered: 07/18/2017)
07/18/2017	1358	TEXT ORDER re <u>1356</u> Provider Plaintiffs' Motion to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Blue Cross Cost Studies and Data from the Blue Cross Liability Database. Any response to the Motion is due by July 25, 2017. No reply briefs will be accepted. Oral argument on the Motion will be heard at the Discovery Status Conference set for Thursday, July 27, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on July 18, 2017. (AMP,) (Entered: 07/18/2017)
07/18/2017	<u>1359</u>	NOTICE by Adventist Health System Sunbelt Healthcare Corporation, Cedars–Sinai Medical Center, Tenet Healthcare, University of North Carolina Health Care System re <u>1347</u> Response in Opposition to Motion,,,, of <i>Filing Signed Declaration and Notice of Correction of Typographical Error</i> (Attachments: # <u>1</u> Exhibit Revised Ex. 4 – Signed Decl. of S. Trott)(Brady, P) (Entered: 07/18/2017)
07/19/2017	<u>1362</u>	

		***Document Sealed – Provider Plaintiffs' Notice of Filing Substitute Exhibits (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit D, # <u>3</u> Exhibit F) (KAM) (Entered: 07/20/2017)
07/20/2017	<u>1360</u>	Transcript of Proceedings held on July 13, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278–2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/10/2017. Redacted Transcript Deadline set for 8/20/2017. Release of Transcript Restriction set for 10/18/2017. (MRR,) (Entered: 07/20/2017)
07/20/2017	<u>1361</u>	NOTICE by Defendants' Counsel re <u>1305</u> MOTION to Compel <i>Third Parties to Respond to Subpoenas Before the Discovery Cut-off</i> (Cottrell, Christa) (Entered: 07/20/2017)
07/21/2017	<u>1363</u>	RESPONSE to Motion re <u>1341</u> MOTION to Compel <i>National Insurers to Produce Documents</i> filed by CIGNA Health and Life Insurance Company. (Weller, Christopher) (Entered: 07/21/2017)
07/21/2017	<u>1364</u>	RESPONSE to Motion re <u>1341</u> MOTION to Compel <i>National Insurers to Produce Documents</i> filed by AETNA, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11)(Wells, H) (Entered: 07/21/2017)
07/21/2017	<u>1365</u>	NOTICE by Plaintiffs' Counsel re <u>1340</u> MOTION to Compel <i>Compliance with Rule 45 By Navigant Consulting, Inc. (Provider Plaintiffs)</i> (Brown, W) (Entered: 07/21/2017)
07/21/2017	<u>1366</u>	REPLY Brief filed by Defendant Defendants' Counsel re: <u>1305</u> MOTION to Compel <i>Third Parties to Respond to Subpoenas Before the Discovery Cut-off</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 7/18/2017 Snavelly Email to Owen, # <u>2</u> Exhibit B – 7/20/2017 Owen Letter to Snavelly)(Cottrell, Christa) (Entered: 07/21/2017)
07/21/2017	<u>1367</u>	RESPONSE in Opposition re <u>1341</u> MOTION to Compel <i>National Insurers to Produce Documents</i> filed by UnitedHealth Group Incorporated. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G)(Robertson, Douglas) (Entered: 07/21/2017)
07/21/2017	<u>1368</u>	RESPONSE to Motion re <u>1345</u> SEALED MOTION to <i>Enforce Discovery Order No. 44, or in the alternative, to compel Optuminsight Inc. to Produce Claims Data for the 2007–2009 Time Period</i> filed by Blue Cross Blue Shield Michigan. (Campbell, Andrew) (Entered: 07/21/2017)

07/21/2017	<u>1369</u>		RESPONSE in Support re <u>1341</u> MOTION to Compel <i>National Insurers to Produce Documents Provider Plaintiffs' Response In Support of Certain Defendants' Motion to Compel National Insurers to Produce Documents</i> filed by Plaintiffs' Counsel. (Sheehan, Patrick) (Entered: 07/21/2017)
07/21/2017	<u>1370</u>		RESPONSE in Opposition re <u>1341</u> MOTION to Compel <i>National Insurers to Produce Documents Opposition of Non-Party Humana Inc. to Certain Defendants' Motion to Compel National Insurers to Produce Documents</i> filed by Humana Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11, # <u>12</u> Exhibit Exhibit 12, # <u>13</u> Exhibit Exhibit 13, # <u>14</u> Exhibit Exhibit 14, # <u>15</u> Exhibit Exhibit 15, # <u>16</u> Exhibit Exhibit 16)(Turner, Sara) (Entered: 07/21/2017)
07/21/2017	<u>1371</u>		MOTION to Withdraw as Attorney by Humana Inc.. (Turner, Sara) (Entered: 07/21/2017)
07/21/2017	<u>1372</u>		NOTICE of Appearance by Christie A Moore on behalf of Humana Inc. (Moore, Christie) (Entered: 07/21/2017)
07/21/2017	<u>1373</u>		***Document Sealed – Non-Party Health Care Cost Institute, Inc's Memorandum of Law in Opposition to Provider Plaintiffs' Motion to Enforce Discovery Order 44, or in the alternative, to compel Optuminsight, Inc to Produce Claims Data for the 2007 – 2009 Time Period (KAM) (Entered: 07/24/2017)
07/21/2017	<u>1374</u>		***Document Sealed – Opposition of Non-Party Optuminsight, Inc to Provider Plaintiffs' Motion to Enforce Discovery Order No. 44, or, in the alternative, to compel Optuminsight Inc to produce claims data for the 2007 – 2009 Time Period (KAM) (Entered: 07/24/2017)
07/24/2017	1375		TEXT ORDER – This matter is before the court on the Motion to Withdraw filed on behalf of attorney John K. Bush. <u>1371</u> The Motion <u>1371</u> is GRANTED. The Clerk of the Court is directed to terminate attorney John K. Bush. Signed by Judge R David Proctor on 7/24/2017. (KAM) (Entered: 07/24/2017)
07/25/2017	<u>1376</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT – the application for payment for serviced rendered 6/1/2017 – 6/30/2017 relating solely for services provided to the plaintiffs; payment is hereby approved, with one-half of the billing for common projects, plus the billing that=s specific only to Subscriber Track projects, or \$28,850.00, to be paid by the Subscriber Track and one-half of the billing for common projects, plus the billing that=s specific only to Provider Track projects, or \$18,850.00, to be paid by the Provider Track, from their Common Benefit monies. Signed by Judge R David Proctor on 7/25/2017. (KAM) (Entered: 07/25/2017)
07/25/2017	<u>1377</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT – granting the application of the Special Master for payment for serviced rendered 6/1/2017 – 6/30/2017 as it relates to both sides; the Special Master's application for payment is hereby approved, with: (i) one-half, or \$4,750.00, to be paid by the Defendants; and (ii) one-fourth, or \$2,375.00, to be paid by the Subscriber Track, and one-fourth, or \$2,375.00, to be paid by the Provider Track, from their Common Benefit monies. Signed by Judge R

			David Proctor on 7/25/2017. (KAM,) (Entered: 07/25/2017)
07/25/2017	<u>1378</u>		MOTION to Seal Document <u>1368</u> Response to Motion, by Optuminsight, Inc.. (Robertson, Douglas) (Entered: 07/25/2017)
07/25/2017	<u>1379</u>		REPLY to Response to Motion re <u>1341</u> MOTION to Compel <i>National Insurers to Produce Documents</i> filed by Defendants' Counsel. (Cottrell, Christa) (Entered: 07/25/2017)
07/25/2017	<u>1380</u>		RESPONSE to Motion re <u>1356</u> MOTION to Compel <i>Provider Plaintiffs' Motion to Compel Defendant Blue Cross and Blue Shield of Alabama to Produce Blue Cross Studies and Data from the Blue Cross Liability Database</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 07/25/2017)
07/25/2017	<u>1382</u>		***Document Sealed – REPLY OF NON–PARTY OPTUMINSIGHT, INC. TO DEFENDANTS RESPONSE TO PROVIDER PLAINTIFFS MOTION TO ENFORCE DISCOVERY ORDER NO. 44 OR, IN THE ALTERNATIVE, TO COMPEL OPTUMINSIGHT, INC. TO PRODUCE CLAIMS DATA FOR THE 2007–2009 TIME PERIOD (KAM) (Entered: 07/26/2017)
07/26/2017	1381		TEXT ORDER re <u>1378</u> Motion to Seal Document <u>1368</u> Response to Motion, by OptumInsight, Inc. Having reviewed the Motion and the document OptumInsight wishes to place under seal, the court sees no reason to deviate from its general disinclination to seal documents. Accordingly, the Motion of Non–Party OptumInsight, Inc. to Place Doc. 1368 Under Seal is DENIED. Signed by Magistrate Judge T Michael Putnam on July 26, 2017. (AMP) (Entered: 07/26/2017)
07/26/2017	<u>1383</u>		STATUS REPORT <i>on Supplemental Disclosures on behalf of Subscriber Plaintiffs</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 07/26/2017)
07/27/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 7/27/2017: arguments by counsel, re MOTIONS <u>1053</u> , <u>1305</u> , <u>1341</u> , <u>1345</u> & <u>1356</u> ; hrg adj (Court Reporter Lindy Fuller) (ASL) (Entered: 07/27/2017)
07/28/2017	<u>1384</u>		NOTICE of Appearance by P Michael Yancey on behalf of Plaintiffs' Counsel (Yancey, P) (Entered: 07/28/2017)
07/28/2017	<u>1385</u>		ORDER re <u>1345</u> SEALED MOTION filed by Plaintiffs' Counsel ; by no later than August 9, 2017, the provider plaintiffs, defendants, and OptumInsight are DIRECTED to file a report (jointly or separately) informing the court whether OptumInsight is capable of calculating and providing, consistent with HIPAA, the duration of time between the date of medical service and the date the service provider was paid for that service by the insurer; Also by August 9, 2017, the provider plaintiffs and defendants, together, will propose to OptumInsight up to three vendors they believe to be capable of extracting from OptumInsights data archives the data at issue for 2007 to 2009. Signed by Magistrate Judge T Michael Putnam on 7/28/2017. (KAM) (Entered: 07/28/2017)
07/28/2017	<u>1386</u>		

		DISCOVERY ORDER no. 58 granting in part and denying in part <u>1356</u> Motion to Compel. Signed by Magistrate Judge T Michael Putnam on 7/28/2017. (KAM,) (Entered: 07/28/2017)
07/31/2017	<u>1387</u>	MOTION to Keep Sealed Certain Exhibits to the Standard of Review Briefs re <u>1350</u> SEALED MOTION, <u>1348</u> MOTION for Partial Summary Judgment by <i>Subscriber Plaintiffs</i> , <u>1353</u> MOTION for Summary Judgment on <i>Plaintiffs' Section 1, Per Se, and Quick Look Claims</i> by Defendants' Counsel. (Attachments: # <u>1</u> Appendix A: Exhibits That Defendants Request Remain Sealed)(Zott, David) (Entered: 07/31/2017)
07/31/2017	<u>1388</u>	MOTION Maintain Seal on Select Exhibits re <u>1349</u> Document Sealed,,, by Plaintiffs' Counsel. (Stokes, Tammy) (Entered: 07/31/2017)
07/31/2017	<u>1389</u>	MOTION Maintain the Seal on Certain Documents Relating to Motions for Summary Judgment re <u>1350</u> SEALED MOTION, <u>1353</u> MOTION for Summary Judgment on <i>Plaintiffs' Section 1, Per Se, and Quick Look Claims (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Brown, W) Corrected version filed –Modified on 8/1/2017 (KAM,). (Entered: 07/31/2017)
07/31/2017	<u>1390</u>	MOTION to Maintain the Seal on Certain Documents Relating to Motions for Summary Judgment re <u>1350</u> SEALED MOTION, <u>1353</u> MOTION for Summary Judgment on <i>Plaintiffs' Section 1, Per Se, and Quick Look Claims (Corrected) (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Brown, W) (Entered: 07/31/2017)
08/01/2017	<u>1391</u>	DISCOVERY ORDER NO. 59– granting <u>1341</u> Motion to Compel and Discovery Order No. 44 is AMENDED to the extent: Parties wishing to have access to the documents and data produced by Aetna, Humana, and United shall pay, according to their own agreement to split costs, a \$100,000.00, good–faith deposit to each of those insurers; Upon payment of the deposit and agreement with the parties on discovery methodology and search terms, Aetna, Humana, and United are DIRECTED to begin making rolling productions. Productions shall be completed by September 1, 2017; in all other respects, the defendants motion is DENIED. Signed by Magistrate Judge T Michael Putnam on 8/1/2017.(KAM) (Entered: 08/01/2017)
08/01/2017	<u>1392</u>	PROVIDER PLAINTIFFS' MOTION for Partial Summary Judgment <i>Against Anthem, Inc. Regarding Issues Decided in United States v. Anthem (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Part 1, # <u>2</u> Exhibit A – Part 2, # <u>3</u> Exhibit A – Part 3, # <u>4</u> Exhibit B – Part 1, # <u>5</u> Exhibit B – Part 2)(Whatley, Joe) Modified on 9/25/2017 (KAM,). (Entered: 08/01/2017)
08/01/2017	<u>1393</u>	DISCOVERY ORDER No. 60. Signed by Magistrate Judge T Michael Putnam on 8/1/2017. (KAM) (Entered: 08/01/2017)
08/02/2017	1394	TEXT ORDER – This matter is before the court on the recent Motions and/or Requests to maintain the seal on certain documents recently filed under seal in connection with briefing on the appropriate standard of review. <u>1387</u> <u>1388</u> <u>1390</u> The Clerk of the Court is directed to terminate these Motions/Requests. <u>1387</u> <u>1388</u> <u>1390</u> The parties may respond, and the court will expect the Seal Team's report, pursuant to the Revised Sealing Procedures <u>758</u> in due course. Signed by Judge R David Proctor on 8/2/2017. (KAM) (Entered: 08/02/2017)

08/03/2017	<u>1395</u>		SEALED MOTION – Subscriber and Provider Plaintiffs' Motion Challenging Assertion of Privilege Over Document Produced by Defendant BSC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(KAM) (Entered: 08/03/2017)
08/03/2017	<u>1396</u>		Transcript of Proceedings held on 7/27/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Lindy M. Fuller. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/24/2017. Redacted Transcript Deadline set for 9/3/2017. Release of Transcript Restriction set for 11/1/2017. (KAM,) (Entered: 08/03/2017)
08/04/2017	1397		TEXT ORDER: This matter is before the court on the Provider Plaintiffs' Motion for Partial Summary Judgment Regarding Issues Decided in United States v. Anthem. <u>1392</u> Unless the parties otherwise agree on a briefing schedule for the Motion, any response SHALL be filed no later than twenty-one (21) calendar days after the date the Motion was filed. (However, if the due date falls on a weekend or court holiday, the due date shall be the next business day). Any reply SHALL be filed no later than fourteen (14) calendar days after the date on which the responsive brief is filed. Signed by Judge R David Proctor on 8/4/17. (SAC) (Entered: 08/04/2017)
08/04/2017	<u>1398</u>		MOTION to Withdraw as Attorney by Defendants' Counsel. (Hoffman, Donald) (Entered: 08/04/2017)
08/07/2017	1399		TEXT ORDER GRANTING <u>1398</u> MOTION to Withdraw as Attorney. Attorney D Bruce Hoffman terminated. Signed by Judge R David Proctor on 8/7/2017. (JLC) (Entered: 08/07/2017)
08/08/2017	<u>1400</u>		MOTION to Withdraw by Regions Bank. (Pennington, James) (Entered: 08/08/2017)
08/08/2017	<u>1401</u>		***FILED UNDER SEAL*** MOTION Challenging Assertion of Privilege Over Document Produced by Defendant BCBS–KS. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(JLC) (Entered: 08/08/2017)
08/08/2017	1402		TEXT ORDER–This matter is before the court on the Motion to Withdraw filed on behalf of attorneys James C. Pennington and M. Tae Phillips. <u>1371</u> The Motion <u>1371</u> is GRANTED . The Clerk of the Court is directed to terminate attorneys Pennington and Phillips. If necessary, the parties are directed to serve any future papers regarding non–party Regions Bank on its registered agent for service of process. Signed by Judge R David Proctor on 8/8/2017. (JLC) (Entered: 08/08/2017)
08/09/2017	1403		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on Thursday, August 24, 2017, at 1:00 PM in Courtroom

			3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on August 9, 2017. (AMP) (Entered: 08/09/2017)
08/09/2017	1404		TEXT ORDER —This matter is before the court on the Motion to Withdraw filed on behalf of attorneys James C. Pennington and M. Tae Phillips. <u>1400</u> The Motion <u>1400</u> is GRANTED . The Clerk of the Court is directed to terminate attorneys Pennington and Phillips. If necessary, the parties are directed to serve any future papers regarding non-party Regions Bank on its registered agent for service of process. Signed by Judge R David Proctor on 8/9/2017. (KAM) (Entered: 08/09/2017)
08/09/2017	<u>1405</u>		STATUS REPORT <i>Regarding OptumInsight, Inc., Data</i> by Blue Cross Blue Shield Michigan. filed by Blue Cross Blue Shield Michigan (Campbell, Andrew) (Entered: 08/09/2017)
08/10/2017	<u>1406</u>		ORDER the parties' joint request to extend the briefing schedule for the standard of review briefs is GRANTED: The parties responsive briefs are due on August 18, 2017; The parties reply briefs are due on September 1, 2017. Signed by Judge R David Proctor on 8/10/2017. (KAM) (Entered: 08/10/2017)
08/10/2017	<u>1407</u>		ORDER re the parties proposed briefing schedule as to <u>1392</u> MOTION for Partial Summary Judgment <i>Against Anthem, Inc. Regarding Issues Decided in United States v. Anthem (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel; the parties request is granted; Any responses in opposition to Provider Plaintiffs motion are due by August 30, 2017; Provider Plaintiffs reply is due by September 21, 2017. Signed by Judge R David Proctor on 8/10/2017. (KAM) (Entered: 08/10/2017)
08/10/2017	1408		TEXT ORDER – This case is before the court on Subscriber Plaintiffs' amended Sealed Evidentiary Submission in support of their Motion for Partial Summary <u>1348</u> . The Clerk is DIRECTED to REMOVE the originally filed exhibits in support of Subscriber Plaintiffs' Motion <u>1352</u> and to SUBSTITUTE the reduced size exhibits in the amended submission.Signed by Judge R David Proctor on 8/10/2017. (KAM) (Entered: 08/10/2017)
08/10/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 8/10/2017. (Court Reporter Julie Martin) (ASL) (Entered: 08/10/2017)
08/10/2017	<u>1409</u>		MOTION to Compel <i>Subscriber Plaintiffs' Motion to Compel Prime Therapeutics LLC to Produce Documents</i> by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 08/10/2017)
08/10/2017	<u>1410</u>		SEALED MOTION – Subscriber Plaintiffs' Motion to Compel Prime Therapeutics LLC to Produce Documents. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(KAM) (Entered: 08/11/2017)
08/10/2017	<u>1411</u>		SEALED MOTION – Subscriber Plaintiffs' motion to compel defendants to provide substantive answers or specific Bates number References to answer

		interrogatory no. 9. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(KAM,) (Entered: 08/11/2017)
08/11/2017	<u>1412</u>	DISCOVERY ORDER No. 61 – granting <u>1053</u> Motion for Reconsideration; Discovery Order No. 44 is MODIFIED to eliminate any requirement that HCCI produce or procure the production of claims data; rather, that data is now being obtained under a subpoena to OptumInsight. The subpoena to HCCI for claims data is hereby QUASHED. In all other respects Discovery Order No. 44 remains in full force and effect; OptumInsight shall respond, by not later than Friday, August 18, 2017, to the proposals made by Provider Plaintiffs and Defendants for engaging vendors capable of extracting 2007 to 2009 claims data from archival sources at OptumInsight, providing a good faith estimate of the costs it will incur and a timeline for beginning and completing the process of extracting such claims data. Signed by Magistrate Judge T Michael Putnam on 8/11/2017. (KAM) (Entered: 08/11/2017)
08/14/2017	<u>1413</u>	MOTION to Compel / <i>Enforce This Court's Previous Order</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Text of Proposed Order)(Whatley, Joe) (Entered: 08/14/2017)
08/14/2017	<u>1414</u>	MOTION for Protective Order by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 08/14/2017)
08/14/2017	<u>1415</u>	Brief <i>Opposing Seal on Summary Judgment Materials</i> . (Attachments: # <u>1</u> Appendix I, # <u>2</u> Appendix II, # <u>3</u> Appendix III, # <u>4</u> Appendix IV, # <u>5</u> Appendix V)(Stokes, Tammy) (Entered: 08/14/2017)
08/14/2017	<u>1416</u>	***Document Sealed – Subscriber Plaintiffs' OPPOSITION to defendants' request to maintain seal on materials filed in connection with the Parties' Standard of Review Summary Judgment filings (Attachments: # <u>1</u> App I, # <u>2</u> App II, # <u>3</u> App III, # <u>4</u> App IV, # <u>5</u> App V) (KAM) (Entered: 08/15/2017)
08/15/2017	<u>1417</u>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court (Rule 72 Objection to Discovery Order no. 60) by Cedars–Sinai Medical Center re <u>1393</u> Order (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Brady, P) Modified 8/16/2017 (KAM) (Entered: 08/15/2017)
08/16/2017	<u>1418</u>	ORDER the following motions will be heard at the Discovery Status Conference set for 8/24/2017 at 1:00 p.m.; <u>1395</u> pla' motion challenging assertion of privilege over document produced by dft BSC; <u>1401</u> plas' motion challenging assertion of privilege over document produced by dft BCBS–KS; <u>1411</u> subscriber plas' motion to compel; <u>1413</u> plas' motion to enforce previous order; <u>1414</u> dft BCBS of Alabama's motion for protective order; Any written responses to these motions are due no later than Monday, August 21, 2017, and shall comply with the parameters set out in the Order Amending Discovery Order No. 1 <u>483</u> ; <u>1409</u> subscriber plas' motion to compel will be heard during the discovery telephone conference on 8/31/2017 at 3:00 p.m.; any response is due by 8/28/2017. Signed by Magistrate Judge T Michael Putnam on 8/16/2017. (KAM,) (Entered: 08/16/2017)
08/16/2017	<u>1419</u>	Transcript of Proceedings held on August 10, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Julie A. Martin, Telephone number

		(205) 278–2066. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/6/2017. Redacted Transcript Deadline set for 9/16/2017. Release of Transcript Restriction set for 11/14/2017. (MRR,) (Entered: 08/16/2017)
08/16/2017	<u>1420</u>	NOTICE by Plaintiffs' Counsel re <u>1411</u> SEALED MOTION <i>Notice of Withdrawal as to Certain Defendants</i> (Hellums, Christopher) (Entered: 08/16/2017)
08/16/2017	<u>1425</u>	***Document Sealed – STATUS REPORT regarding Optuminsight, Inc Data (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (KAM) (Entered: 08/18/2017)
08/17/2017	<u>1421</u>	NOTICE of Appearance by Syndey L Schneider on behalf of Highmark Inc., Highmark West Virginia Inc., Highmark BCBSD Inc. (Schneider, Syndey) (Entered: 08/17/2017)
08/17/2017	<u>1422</u>	MOTION to Compel <i>Subscriber Plaintiffs' Motion to Compel Blue Cross Blue Shield of Alabama and Its Subsidiaries to Produce Documents</i> by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 08/17/2017)
08/17/2017	<u>1423</u>	NOTICE of Appearance by Casey R Fronk on behalf of Blue Shield of California (Fronk, Casey) (Entered: 08/17/2017)
08/17/2017	<u>1424</u>	MOTION to Quash <i>Document Subpoenas to Subsidiaries</i> by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A–1, # <u>2</u> Exhibit A–2, # <u>3</u> Exhibit A–3, # <u>4</u> Exhibit A–4)(Burkhalter, Carl) (Entered: 08/17/2017)
08/17/2017	<u>1426</u>	SEALED MOTION – Provider Plaintiffs' MOTION to COMPEL Blue Cross and Blue Shield of Alabama to produce financial documents. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(KAM,) (Entered: 08/18/2017)
08/17/2017	<u>1427</u>	SEALED MOTION – Subscriber Plaintiffs' MOTION to COMPEL Blue Cross Blue Shield of Alabama and it subsidiaries to produce documents. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(KAM) (Entered: 08/18/2017)
08/18/2017	<u>1428</u>	***Document Sealed – NOTICE of filing EXHIBITS under seal in SUPPORT of Blue Cross and Blue Shield of Alabama's Omnibus MOTION to QUASH document subpoenas to Subsidiaries (Attachments: # <u>1</u> Exhibit A–1, # <u>2</u> Exhibit A–2, # <u>3</u> Exhibit A–3) (KAM,) (Entered: 08/18/2017)

08/18/2017	<u>1429</u>	<p>RESPONSE to Motion re <u>1350</u> SEALED MOTION, <u>1348</u> MOTION for Partial Summary Judgment <i>by Subscriber Plaintiffs</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit Slip Sheet Regarding Sealed Exhibits, # <u>3</u> Exhibit 129, # <u>4</u> Exhibit 130, # <u>5</u> Exhibit 131, # <u>6</u> Exhibit 132, # <u>7</u> Exhibit 133 Part 1, # <u>8</u> Exhibit 133 Part 2, # <u>9</u> Exhibit 134, # <u>10</u> Exhibit 135, # <u>11</u> Exhibit 138 Part 1, # <u>12</u> Exhibit 138 Part 2, # <u>13</u> Exhibit 138 Part 3, # <u>14</u> Exhibit 138 Part 4, # <u>15</u> Exhibit 138 Part 5, # <u>16</u> Exhibit 139 Part 1, # <u>17</u> Exhibit 139 Part 2, # <u>18</u> Exhibit 140, # <u>19</u> Exhibit 143, # <u>20</u> Exhibit 148, # <u>21</u> Exhibit 150, # <u>22</u> Exhibit 151, # <u>23</u> Exhibit 152, # <u>24</u> Exhibit 153, # <u>25</u> Exhibit 154 Part 1, # <u>26</u> Exhibit 154 Part 2, # <u>27</u> Exhibit 155, # <u>28</u> Exhibit 156, # <u>29</u> Exhibit 157, # <u>30</u> Exhibit 158)(Zott, David) (Entered: 08/18/2017)</p>
08/18/2017	<u>1430</u>	<p>NOTICE by Plaintiffs' Liaison Counsel re <u>1401</u> SEALED MOTION <i>Notice of Joinder of Challenge to Defendant Highmark's Clawback Request to Plaintiffs' Pending Motion Challenging Assertion of Privilege over Document Produced by Defendant BCBS-KS</i> (Ragsdale, Barry) (Entered: 08/18/2017)</p>
08/18/2017	<u>1431</u>	<p>***Document Sealed – PROVIDER Plaintiffs' RESPONSE to Defendants' MOTION For SUMMARY JUDGMENT (Attachments: # <u>1</u> Exhibit II, # <u>2</u> Exhibit 25, # <u>3</u> Exhibit 26, # <u>4</u> Exhibit 27, # <u>5</u> Exhibit 28, # <u>6</u> Exhibit 29, # <u>7</u> Exhibit 30, # <u>8</u> Exhibit 31, # <u>9</u> Exhibit 32, # <u>10</u> Exhibit 33, # <u>11</u> Exhibit 34, # <u>12</u> Exhibit 35, # <u>13</u> Exhibit 36, # <u>14</u> Exhibit 37, # <u>15</u> Exhibit 38, # <u>16</u> Exhibit 39, # <u>17</u> Exhibit 40, # <u>18</u> Exhibit 41) (KAM) (Additional attachment(s) added on 8/30/2017: # <u>19</u> Exhibit 42 part 1, # <u>20</u> Exhibit 42 –Part 2, # <u>21</u> Exhibit 42 Part 3, # <u>22</u> Exhibit 42 –Part 4, # <u>23</u> Exhibit 42 Part 5) (KAM,). (Additional attachment(s) added on 8/30/2017: # <u>24</u> Exhibit 43, # <u>25</u> Exhibit 44, # <u>26</u> Exhibit 45, # <u>27</u> Exhibit 46, # <u>28</u> Exhibit 47, # <u>29</u> Exhibit JJ, # <u>30</u> Exhibit KK, # <u>31</u> Exhibit LL, # <u>32</u> Exhibit MM, # <u>33</u> Exhibit NN, # <u>34</u> Exhibit OO, # <u>35</u> Exhibit PP, # <u>36</u> Exhibit QQ, # <u>37</u> Exhibit RR, # <u>38</u> Exhibit SS, # <u>39</u> Exhibit TT, # <u>40</u> Exhibit UU, # <u>41</u> Exhibit VV, # <u>42</u> Exhibit WW, # <u>43</u> Exhibit XX, # <u>44</u> Exhibit YY, # <u>45</u> Exhibit ZZ) (KAM,). (Additional attachment(s) added on 8/30/2017: # <u>46</u> Exhibit AAA, # <u>47</u> Exhibit BBB, # <u>48</u> Exhibit CCC, # <u>49</u> Exhibit DDD, # <u>50</u> Exhibit EEE, # <u>51</u> Exhibit FFF, # <u>52</u> Exhibit GGG, # <u>53</u> Exhibit HHH, # <u>54</u> Exhibit III, # <u>55</u> Exhibit JJJ, # <u>56</u> Exhibit KKK, # <u>57</u> Exhibit LLL, # <u>58</u> Exhibit MMM, # <u>59</u> Exhibit NNN, # <u>60</u> Exhibit OOO, # <u>61</u> Exhibit PPP, # <u>62</u> Exhibit QQQ, # <u>63</u> Exhibit RRR, # <u>64</u> Exhibit SSS, # <u>65</u> Exhibit TTT, # <u>66</u> Exhibit UUU, # <u>67</u> Exhibit VVV, # <u>68</u> Exhibit WWW, # <u>69</u> Exhibit XXX, # <u>70</u> Exhibit YYY, # <u>71</u> Exhibit ZZZ) (KAM,). (Additional attachment(s) added on 10/17/2017: # <u>72</u> Exhibit AAAA, # <u>73</u> Exhibit BBBB, # <u>74</u> Exhibit CCCC, # <u>75</u> Exhibit DDDD, # <u>76</u> Exhibit EEEE, # <u>77</u> Exhibit FFFF, # <u>78</u> Exhibit GGGG, # <u>79</u> Exhibit HHHH, # <u>80</u> Exhibit IIII, # <u>81</u> Exhibit JJJJ, # <u>82</u> Exhibit KKKK, # <u>83</u> Exhibit LLLL, # <u>84</u> Exhibit MMMM, # <u>85</u> Exhibit NNNN, # <u>86</u> Exhibit OOOO, # <u>87</u> Exhibit PPPP, # <u>88</u> Exhibit QQQQ, # <u>89</u> Exhibit RRRR, # <u>90</u> Exhibit SSSS, # <u>91</u> Exhibit TTTT, # <u>92</u> Exhibit UUUU, # <u>93</u> Exhibit VVVV part 1, # <u>94</u> Exhibit VVVV part 2, # <u>95</u> Exhibit VVVV part 3, # <u>96</u> Exhibit WWWW, # <u>97</u> Exhibit XXXX, # <u>98</u> Exhibit YYYY, # <u>99</u> Exhibit ZZZZ, # <u>100</u> Exhibit AAAAA, # <u>101</u> Exhibit BBBB, # <u>102</u> Exhibit CCCCC, # <u>103</u> Exhibit DDDDD, # <u>104</u> Exhibit EEEEE, # <u>105</u> Exhibit FFFFF, # <u>106</u> Exhibit GGGGG, # <u>107</u> Exhibit HHHHH, # <u>108</u> Exhibit IIIII, # <u>109</u> Exhibit JJJJJ) (KAM,). (Entered: 08/21/2017)</p>

08/18/2017	<u>1432</u>	***Document Sealed – Defendants' RESPONSE to Plaintiffs' MOTIONS for PARTIAL SUMMARY JUDGMENT (KAM) (Entered: 08/21/2017)
08/18/2017	<u>1433</u>	***Document Sealed – Notice of filing EXHIBITS to Defendants' RESPONSE to Plaintiffs' MOTION FOR PARTIAL SUMMARY JUDGMENT (Attachments: # <u>1</u> Exhibit 128, # <u>2</u> Exhibit 131, # <u>3</u> Exhibit 135, # <u>4</u> Exhibit 136, # <u>5</u> Exhibit 137, # <u>6</u> Exhibit 141, # <u>7</u> Exhibit 142, # <u>8</u> Exhibit 144, # <u>9</u> Exhibit 145, # <u>10</u> Exhibit 146, # <u>11</u> Exhibit 147, # <u>12</u> Exhibit 149, # <u>13</u> Exhibit 150, # <u>14</u> Exhibit 159) (KAM,) (Entered: 08/21/2017)
08/18/2017	<u>1434</u>	SUBSCRIBER PLAINTIFFS' SEALED MOTION – Subscriber Plaintiffs' MOTION for PARTIAL SUMMARY JUDGMENT on Defendants' "SINGLE ENTITY" Defense. (KAM) Modified on 9/25/2017 (KAM,). (Entered: 08/21/2017)
08/18/2017	<u>1435</u>	***Document Sealed – Memorandum of Points and Authorities in OPPOSITION to Defendants' MOTION for SUMMARY JUDGMENT on Section 1, per se, and Quick Look Claims AND in support of Subscriber plaintiffs' MOTION for PARTIAL SUMMARY JUDGMENT on defendants' "Single Entity" Defense (KAM) (Entered: 08/21/2017)
08/18/2017	<u>1436</u>	***Document Sealed – Evidentiary Submission for memorandum of points and authorizes in OPPOSITION to defendants' MOTION for SUMMARY JUDGMENT on Section 1, per se and Quick Look Claims AND in SUPPORT of Subscriber plaintiffs' MOTION for PARTIAL SUMMARY JUDGMENT on defendants' "Single Entity" Defense (Attachments: # <u>1</u> Exhibit 224 part 1, # <u>2</u> Exhibit 224 part 2, # <u>3</u> Exhibit 225, # <u>4</u> Exhibit 226, # <u>5</u> Exhibit 227, # <u>6</u> Exhibit 228, # <u>7</u> Exhibit 229, # <u>8</u> Exhibit 230, # <u>9</u> Exhibit 231, # <u>10</u> Exhibit 232, # <u>11</u> Exhibit 233, # <u>12</u> Exhibit 234, # <u>13</u> Exhibit 235, # <u>14</u> Exhibit 236, # <u>15</u> Exhibit 237, # <u>16</u> Exhibit 238 part 1, # <u>17</u> Exhibit 238 part 2, # <u>18</u> Exhibit 239, # <u>19</u> Exhibit 240, # <u>20</u> Exhibit 241, # <u>21</u> Exhibit 242, # <u>22</u> Exhibit 243, # <u>23</u> Exhibit 244, # <u>24</u> Exhibit 245, # <u>25</u> Exhibit 246, # <u>26</u> Exhibit 247, # <u>27</u> Exhibit 248, # <u>28</u> Exhibit 249, # <u>29</u> Exhibit 250, # <u>30</u> Exhibit 251, # <u>31</u> Exhibit 252 part 1, # <u>32</u> Exhibit 252 part 2, # <u>33</u> Exhibit 253, # <u>34</u> Exhibit 254, # <u>35</u> Exhibit 255, # <u>36</u> Exhibit 256, # <u>37</u> Exhibit 257, # <u>38</u> Exhibit 258, # <u>39</u> Exhibit 259, # <u>40</u> Exhibit 260, # <u>41</u> Exhibit 261, # <u>42</u> Exhibit 262, # <u>43</u> Exhibit 263, # <u>44</u> Exhibit 264, # <u>45</u> Exhibit 265, # <u>46</u> Exhibit 266, # <u>47</u> Exhibit 267, # <u>48</u> Exhibit 268, # <u>49</u> Exhibit 269, # <u>50</u> Exhibit 270, # <u>51</u> Exhibit 271, # <u>52</u> Exhibit 272, # <u>53</u> Exhibit 273, # <u>54</u> Exhibit 274, # <u>55</u> Exhibit 275, # <u>56</u> Exhibit 276, # <u>57</u> Exhibit 277, # <u>58</u> Exhibit 278, # <u>59</u> Exhibit 279 part 1, # <u>60</u> Exhibit 279 part 2, # <u>61</u> Exhibit 279 part 3, # <u>62</u> Exhibit 279 part 4, # <u>63</u> Exhibit 280, # <u>64</u> Exhibit 281, # <u>65</u> Exhibit 282, # <u>66</u> Exhibit 283, # <u>67</u> Exhibit 284, # <u>68</u> Exhibit 285, # <u>69</u> Exhibit 286, # <u>70</u> Exhibit 287, # <u>71</u> Exhibit 288, # <u>72</u> Exhibit 289 part 1, # <u>73</u> Exhibit 289 part 2, # <u>74</u> Exhibit 290, # <u>75</u> Exhibit 291, # <u>76</u> Exhibit 292, # <u>77</u> Exhibit 293, # <u>78</u> Exhibit 294, # <u>79</u> Exhibit 295, # <u>80</u> Exhibit 296, # <u>81</u> Exhibit 297, # <u>82</u> Exhibit 298, # <u>83</u> Exhibit 299, # <u>84</u> Exhibit 300, # <u>85</u> Exhibit 301, # <u>86</u> Exhibit 302, # <u>87</u> Exhibit 303, # <u>88</u> Exhibit 304, # <u>89</u> Exhibit 305, # <u>90</u> Exhibit 306, # <u>91</u> Exhibit 307, # <u>92</u> Exhibit 308, # <u>93</u> Exhibit 309, # <u>94</u> Exhibit 310, # <u>95</u> Exhibit 311, # <u>96</u> Exhibit 312, # <u>97</u> Exhibit 313, # <u>98</u> Exhibit 314, # <u>99</u> Exhibit 315, # <u>100</u> Exhibit 316) (KAM,) (Entered: 08/21/2017)

08/21/2017	<u>1437</u>		NOTICE by Plaintiffs' Counsel re <u>1411</u> SEALED MOTION <i>Notice of Withdrawal as to Certain Defendants</i> (Hellums, Christopher) (Entered: 08/21/2017)
08/21/2017	<u>1438</u>		RESPONSE in Opposition re <u>1401</u> SEALED MOTION <i>Challenging Assertion of Privilege</i> filed by Highmark BCBSD Inc., Highmark West Virginia Inc.. (Attachments: # <u>1</u> Exhibit)(West, Kimberly) (Entered: 08/21/2017)
08/21/2017	<u>1439</u>		***Document Sealed – Defendants' OPPOSITION to Subscriber and Provider Plaintiffs' MOTION Challenging Assertion of Privilege Over Document Produced by Defendant BSC (KAM) (Entered: 08/21/2017)
08/21/2017	<u>1440</u>		SEALED MOTION – Partially unopposed MOTION for IN CAMERA REVIEW of documents referenced in Defendants' OPPOSITION to Subscriber and Provider Plaintiffs' MOTION challenging assertion of privilege over document produced by defendant BSC. (KAM) (Entered: 08/21/2017)
08/21/2017	<u>1441</u>		RESPONSE to Motion re <u>1413</u> MOTION to Compel / <i>Enforce This Court's Previous Order</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 08/21/2017)
08/21/2017	<u>1442</u>		RESPONSE in Opposition re <u>1414</u> MOTION for Protective Order filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 08/21/2017)
08/21/2017	<u>1445</u>		***Document Sealed – OPPOSITION of Blue Cross and Blue Shield of Kansas to plaintiffs' MOTION challenging privilege (KAM) (Entered: 08/22/2017)
08/22/2017	<u>1443</u>		TEXT ORDER – This matter is before the court on Defendants' Partially Unopposed Motion for In Camera Review. <u>1440</u> The Motion <u>1440</u> is GRANTED. Defendants are directed to submit the referenced documents to the court for in camera review. Signed by Judge R David Proctor on 8/21/2017. (KAM) (Entered: 08/22/2017)
08/22/2017	<u>1444</u>		NOTICE by Prime Therapeutics LLC re <u>1418</u> Order,,, (Lembke, Matthew) (Entered: 08/22/2017)
08/22/2017	<u>1446</u>		MOTION to Seal <i>BCBSAL's Motion to Keep Sealed Certain Exhibits to Its Motion to Quash and to Plaintiffs' Motions to Compel</i> by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 08/22/2017)
08/22/2017	<u>1447</u>		STATUS REPORT (<i>Subscriber Plaintiffs' Status Report on Discovery Order 56 and Indicator 17E</i>) by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 08/22/2017)
08/22/2017	<u>1448</u>		RESPONSE in Opposition re <u>1424</u> MOTION to Quash <i>Document Subpoenas to Subsidiaries</i> filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 08/22/2017)
08/22/2017	<u>1449</u>		NOTICE by Plaintiffs' Counsel re <u>1411</u> SEALED MOTION <i>Notice of Withdrawal as to Certain Defendants</i> (Hellums, Christopher) (Entered: 08/22/2017)
08/22/2017	<u>1450</u>		

		Opposition to <i>Subscriber Plaintiffs' Motion to Compel Documents Belonging to Subsidiaries and Affiliates</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Burkhalter, Carl) (Entered: 08/22/2017)
08/22/2017	<u>1451</u>	Opposition to <i>Provider Plaintiffs' Motion to Compel Production of Financial Documents</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Burkhalter, Carl) (Entered: 08/22/2017)
08/22/2017	<u>1452</u>	***Document Sealed – Subscriber plaintiffs' OPPOSITION to Blue Cross Blue Shield of Alabama's MOTION to QUASH document subpoenas to subsidiaries (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 08/23/2017)
08/23/2017	<u>1453</u>	***Document Sealed – Notice of filing Exhibits in support of Blue Cross and Blue Shield of Alabama's OPPOSITION <u>1451</u> to Provider Plaintiffs' MOTION to COMPEL production of financial information (Attachments: # <u>1</u> Exhibit 2) (KAM) (Entered: 08/23/2017)
08/23/2017	<u>1454</u>	ORDER re <u>1444</u> Notice (Other) filed by Prime Therapeutics LLC ; The court informed the parties in its order dated August 16, 2017, that the Subscriber Plaintiffs motion directed at Prime Therapeutics would be heard during the telephone conference scheduled for August 31, 2017. <u>1418</u> To that end, Prime Therapeutics also will have an opportunity to respond to the Subscriber Plaintiffs Motion to Compel Blue Cross and Blue Shield of Alabama and Its Subsidiaries to Produce Documents during the telephone conference. Signed by Magistrate Judge T Michael Putnam on 8/23/2017. (KAM) (Entered: 08/23/2017)
08/23/2017	<u>1455</u>	Opposition to <i>CORRECTED Opposition to Subscriber Plaintiffs' Motion to Compel Documents Belonging to Subsidiaries and Affiliates</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Burkhalter, Carl) (Entered: 08/23/2017)
08/23/2017	<u>1456</u>	Opposition to <i>CORRECTED Opposition to Provider Plaintiffs' Motion to Compel Production of Financial Documents</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Burkhalter, Carl) (Entered: 08/23/2017)
08/23/2017	<u>1457</u>	MOTION for Extension of Time to File Response/Reply as to <u>1431</u> Document Sealed, <u>1435</u> Document Sealed, <i>Regarding Standard of Review</i> by Defendants' Counsel. (Zott, David) (Entered: 08/23/2017)
08/23/2017	<u>1458</u>	RESPONSE to re <u>1457</u> <i>Defendants' Motion for An Extension of Time to File Reply Briefs Regarding Standard of Review (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 08/23/2017)
08/23/2017	<u>1459</u>	ORDER – On or before September 1, 2017, the Seal Team SHALL meet and confer on these issues and provide the court with recommendations for improving the process. If the Seal Team desires a conference with the court on those issues, that should be reflected in the report. Signed by Judge R David Proctor on 8/23/2017. (KAM) (Entered: 08/23/2017)
08/23/2017	<u>1460</u>	***Document Sealed – Notice of filing Exhibit in support of Blue Cross and Blue Shield of Alabama's Corrected OPPOSITION to Provider Plaintiffs' MOTION to COMPEL production of financial information (Attachments: # <u>1</u>

		Exhibit 2) (KAM) (Entered: 08/23/2017)
08/23/2017	<u>1461</u>	ORDER Approving Special Master Invoice for Payment for expenses occurred 7/1/2017 – 7/31/2017 solely to services provided to the plaintiffs totally \$45,000.00 to be disbursed as set out in this order. Signed by Judge R David Proctor on 8/23/2017. (KAM,) (Entered: 08/23/2017)
08/23/2017	<u>1462</u>	ORDER approving the Special Master invoice for payment for services rendered and expenses incurred from 7/1/2017 – 7/31/2017 as it relates for both sides totally \$5,500.00. Signed by Judge R David Proctor on 8/23/2017. (KAM,) (Entered: 08/23/2017)
08/24/2017	<u>1463</u>	DEFENDANTS' SEALED MOTION – MOTION to COMPEL Provider Plaintiffs' to Answer Discovery Requests filed by Defendant Blue Cross Blue Shield of Michigan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(KAM) Modified on 9/25/2017 (KAM,). (Entered: 08/24/2017)
08/24/2017	<u>1464</u>	ORDER granting in part and denying in part <u>1457</u> Motion for Extension of Time to File Response/Reply ; the parties' reply briefs on the standard of review SHALL be filed by 9/15/2017; the parties' request concerning the deadline for filing class certification motions are DENIED WITHOUT PREJUDICE. Signed by Judge R David Proctor on 8/24/2017. (KAM) (Entered: 08/24/2017)
08/24/2017		Minute Entry for proceedings held before Judge R David Proctor and Magistrate Judge T Michael Putnam: Discovery Status Conference held on 8/24/2017; Motions <u>1395</u> , <u>1401</u> , <u>1457</u> , <u>1411</u> , <u>1413</u> , <u>1422</u> , <u>1424</u> , <u>1426</u> , arguments by counsel; hrg adj (Court Reporter Teresa Roberson) (ASL) (Entered: 08/24/2017)
08/25/2017	<u>1465</u>	***FILED UNDER SEAL*** STATUS REPORT REGARDING OPTUMINSIGHT, INC. DATA. (Attachments: # <u>1</u> Exhibit 1) (JLC) (Entered: 08/25/2017)
08/25/2017	1466	TEXT ORDER finding as moot <u>1411</u> Sealed Motion – Subscriber Plaintiffs' Motion to Compel Defendants to Provide Answers to Interrogatory No. 9. Subscriber Plaintiffs confirmed at the Discovery Conference held August 24, 2017, that the motion is MOOT. Signed by Magistrate Judge T Michael Putnam on August 25, 2017. (AMP) (Entered: 08/25/2017)
08/25/2017	<u>1467</u>	ORDER Parties interested in obtaining OptumInsight, Inc.s (Optum) archived data from the 2007–2009 time period are DIRECTED to inform the court, during the Discovery Telephone Conference to be held on August 31, 2017, whether they prefer to have an outside vendor or the Optum/HCCI team compile the documents for production. Counsel for Optum also is DIRECTED to attend the Discovery Telephone Conference on August 31, 2017, to discuss the pending issues. Signed by Magistrate Judge T Michael Putnam on 8/25/17. (SAC) (Entered: 08/25/2017)
08/28/2017	<u>1468</u>	STATUS REPORT <i>Regarding Third Party Subpoenas</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 08/28/2017)
08/28/2017	<u>1469</u>	Transcript of Proceedings held on August 24, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be

		viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/18/2017. Redacted Transcript Deadline set for 9/28/2017. Release of Transcript Restriction set for 11/26/2017. (KAM,) (Entered: 08/28/2017)
08/28/2017	<u>1470</u>	DISCOVERY ORDER NO. 62 re: <u>1413</u> Motion to Compel; re: <u>1414</u> Motion for Protective Order ;documents associated with these witnesses includes only those documents BCBS–AL intends to offer into evidence through their testimony. Such documents shall be produced to the plaintiffs as soon as possible, but not later than September 15, 2017. Signed by Magistrate Judge T Michael Putnam on 8/28/2017. (KAM,) (Entered: 08/28/2017)
08/28/2017	<u>1471</u>	***Document Sealed – Subscriber Plaintiffs' Statement in Support of Plaintiffs' MOTIONS To COMPEL (1) Prime Therapeutics and (2) Blue Cross Blue Shield of Alabama and its subsidiaries (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM,) (Entered: 08/28/2017)
08/28/2017	<u>1472</u>	CERTIFICATE OF SERVICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 08/28/2017)
08/28/2017	<u>1473</u>	Opposition to <i>Subscriber Plaintiffs' Motion to Compel Relating to Prime Therapeutics, Inc.</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A)(Priester, James) (Entered: 08/28/2017)
08/28/2017	<u>1474</u>	RESPONSE in Opposition re <u>1410</u> SEALED MOTION <i>Subscriber Plaintiffs' Motion to Compel Prime Therapeutics LLC to Produce Documents</i> filed by Prime Therapeutics LLC. (Attachments: # <u>1</u> Exhibit A)(Lembke, Matthew) (Entered: 08/28/2017)
08/29/2017	<u>1475</u>	MOTION to Seal <i>BCBSAL's Motion to Keep Sealed Certain Portions of Subscriber Plaintiffs' Opposition to BCBSAL's Motion to Quash Document Subpoenas to Subsidiaries</i> by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 08/29/2017)
08/30/2017	<u>1476</u>	NOTICE by Prime Therapeutics LLC re <u>1474</u> Response in Opposition to <i>Motion of Filing Signed Declaration of Kyle Brua</i> (Attachments: # <u>1</u> Exhibit A)(Lembke, Matthew) (Entered: 08/30/2017)
08/30/2017	<u>1477</u>	MOTION for Protective Order (" <i>Defendants' Motion To Supplement The Qualified Protective Order To Correct An Inadvertent Typographical Error</i> ") by Blue Cross Blue Shield Antitrust Litigation MDL 2406. (Kennedy, Lauren) (Entered: 08/30/2017)
08/30/2017	<u>1478</u>	Brief re <u>1477</u> MOTION for Protective Order (" <i>Defendants' Motion To Supplement The Qualified Protective Order To Correct An Inadvertent Typographical Error</i> ") (" <i>Defendants' Brief In Support Of Their Motion To Supplement The Qualified Protective Order To Correct An Inadvertent</i>

			<i>Typographical Error"</i>) filed by Blue Cross Blue Shield Antitrust Litigation MDL 2406. (Attachments: # <u>1</u> Text of Proposed Order)(Kennedy, Lauren) (Entered: 08/30/2017)
08/30/2017	<u>1479</u>		RESPONSE to re <u>1468</u> <i>Plaintiffs' Status Report Regarding Third-Party Subpoenas</i> filed by Blue Cross Blue Shield Michigan. (Campbell, Andrew) (Entered: 08/30/2017)
08/30/2017	<u>1480</u>		DISCOVERY ORDER No. 63 granting in part and denying in part <u>1426</u> Sealed Motion to compel. Signed by Magistrate Judge T Michael Putnam on 8/30/2017. (KAM) (Entered: 08/30/2017)
08/30/2017	<u>1481</u>		RESPONSE in Opposition re <u>1392</u> MOTION for Partial Summary Judgment <i>Against Anthem, Inc. Regarding Issues Decided in United States v. Anthem (Provider Plaintiffs)</i> filed by Defendants' Counsel. (Zott, David) (Entered: 08/30/2017)
08/30/2017	<u>1482</u>		RESPONSE in Opposition re <u>1392</u> MOTION for Partial Summary Judgment <i>Against Anthem, Inc. Regarding Issues Decided in United States v. Anthem (Provider Plaintiffs)</i> filed by Anthem, Inc.. (Attachments: # <u>1</u> Exhibit Index and Exhibits 1 and 2)(Hoover, Craig) (Entered: 08/30/2017)
08/31/2017	<u>1483</u>		NOTICE of Appearance by Luther M Dorr, Jr on behalf of Blue Cross and Blue Shield of Alabama (Dorr, Luther) (Entered: 08/31/2017)
08/31/2017	<u>1484</u>		NOTICE by Prime Therapeutics LLC re <u>1474</u> Response in Opposition to <i>Motion of Filing Amended Declaration of Kyle Brua</i> (Attachments: # <u>1</u> Exhibit A)(Lembke, Matthew) (Entered: 08/31/2017)
08/31/2017	<u>1485</u>		MEMORANDUM OPINION AND ORDER granting <u>1395</u> Sealed Motion Subscriber and Provider Plaintiffs Motion Challenging Assertion of Privilege over Document Produced by Defendant BSC; denying <u>1401</u> Sealed Motion Plaintiffs Motion Challenging BCBS-KSs Clawback of November 11, 2011 Blue Caucus Antitrust Compliance Document. Signed by Judge R David Proctor on 8/31/2017. (KAM) (Entered: 08/31/2017)
08/31/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 8/31/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 08/31/2017)
09/01/2017	<u>1486</u>		MOTION to Seal of <i>DCH Health Care Authority</i> by Blue Cross Blue Shield Antitrust Litigation MDL 2406. (Tompkins, Terri) (Entered: 09/01/2017)
09/01/2017	<u>1487</u>		NOTICE by Prime Therapeutics LLC re <u>1474</u> Response in Opposition to <i>Motion of Filing Signed Amended Declaration of Kyle Brua</i> (Attachments: # <u>1</u> Exhibit A)(Lembke, Matthew) (Entered: 09/01/2017)
09/01/2017	<u>1488</u>		SUPPLEMENT TO QUALIFIED PROTECTIVE ORDER <u>550</u> . Signed by Magistrate Judge T Michael Putnam on 9/1/2017. (KAM,) (Entered: 09/01/2017)
09/01/2017	1489		TEXT ORDER —This matter is before the court on a request from Blue Cross Blue Shield of Michigan to unseal its Motion to Compel Provider Plaintiffs to Answer Discovery Requests <u>1463</u> , including the exhibits thereto. No request was made to keep the document sealed, and the Blues' seal team representative is apparently in agreement that the document should be

		unsealed. Therefore, the Clerk of the Court is directed to UNSEAL Document 1463 <u>1463</u> , and its exhibits. Signed by Judge R David Proctor on 9/1/2017. (KAM,) (Entered: 09/01/2017)
09/01/2017	<u>1490</u>	RESPONSE to re <u>1417</u> <i>Cedars–Sinai Medical Center's Rule 72 Objection to Discovery Order No. 60</i> filed by Defendants' Counsel. (Cottrell, Christa) (Entered: 09/01/2017)
09/01/2017	<u>1491</u>	STATUS REPORT <i>Seal Justification for Doc. # 1431, 1432, 1433, 1435, and 1436</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Appendix A – Exhibits to Unseal, # <u>2</u> Appendix B – Exhibits to Remain Sealed)(Zott, David) (Entered: 09/01/2017)
09/01/2017	<u>1492</u>	Transcript of Proceedings held on 8/31/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/22/2017. Redacted Transcript Deadline set for 10/2/2017. Release of Transcript Restriction set for 11/30/2017. (Attachments: # <u>1</u> certification page) (KAM,) (Entered: 09/01/2017)
09/01/2017	1493	TEXT ORDER – This matter is before the court on the Motion of DCH Health Care Authority to Seal Certain Exhibits. <u>1486</u> The Motion seeks to retain the seal on relevant portions of DCH's corporate representative's deposition which were designated by DCH counsel as Confidential–Outside Counsel Only and filed by Defendants in opposition to Plaintiffs Motions for Partial Summary Judgment. [1433–14] The relevant portions of the deposition contain non–public, confidential information that could be of substantial value to DCHs competitors. Because DCH is a non–party, and because none of the parties object to the request for the deposition to remain under seal, the Motion of DCH Health Care Authority to Seal Certain Exhibits <u>1486</u> is GRANTED. The Deposition of DCH Health Care Authority's Rule 30(b)(6) representative Nina Dusang [1433–14] will remain under seal. Signed by Judge R David Proctor on 9/1/2017. (KAM) (Entered: 09/01/2017)
09/01/2017	<u>1494</u>	ORDER – due to a conflict with the court's schedule, the Discovery Telephone Conference set for 9/7/2017 at 3:00 p.m. is RESET to the same day at 11:00 AM before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on 9/1/2017. (KAM) (Entered: 09/01/2017)
09/01/2017	<u>1495</u>	MOTION to Seal <i>Provider Plaintiffs' Request to Maintain the Seal on Certain Documents Relating to Their Opposition to the Defendants' Motion for Summary Judgment</i> by Plaintiffs' Counsel. (Brown, W) (Entered: 09/01/2017)

09/01/2017	<u>1496</u>		SUBSCRIBER PLAINTIFFS' MOTION for Protective Order <i>re: Discovery of 61 Non-Alabama Subscriber Plaintiffs</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Text of Proposed Order)(Hellums, Christopher) Modified on 9/25/2017 (KAM,). (Entered: 09/01/2017)
09/01/2017	<u>1497</u>		MOTION to Seal <i>Certain Exhibits to Provider Plaintiffs' Response to Defendants' Motion for Summary Judgement</i> by VIVA Health Inc.. (Ezelle, Jay) (Entered: 09/01/2017)
09/01/2017	<u>1498</u>		MOTION to Seal <i>Subscriber Plaintiffs' Request to Maintain Seal on Certain Documents Relating to their Opposition to the Defendants' Motion for Summary Judgment on Standard of Review</i> by Plaintiffs' Counsel. (Guin, David) (Entered: 09/01/2017)
09/05/2017	<u>1499</u>		DISCOVERY ORDER No. 64 GRANTING <u>1345</u> SEALED MOTION to Enforce Discovery Order No. 44 as set out herein. Signed by Judge R David Proctor on 9/5/2017. (JLC) (Entered: 09/05/2017)
09/05/2017	<u>1500</u>		MOTION to Seal <i>Motion to Keep Sealed Subscriber Plaintiffs' Statement in Support of Plaintiffs' Motion to Compel (1) Prime Therapeutics and (2) BCBSAL and its Subsidiaries</i> by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 09/05/2017)
09/05/2017	<u>1501</u>		NOTICE by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel re <u>1410</u> SEALED MOTION of <i>Filing Amended [Proposed] Order Re Motion to Compel Prime Therapeutics LLC to Produce Documents</i> (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 09/05/2017)
09/05/2017	1502		TEXT ORDER; This matter is before the court on the Seal Team's recent report regarding proposed modifications to the court's seal process. That report contained a request by Plaintiffs' Seal Team representative(s) for a conference with the court regarding the seal process. A conference with Seal Team members (only) is SET for 10:00 am on Wednesday, September 13, 2017. If at least one Seal Team member from each side cannot attend in person, the Seal Team members SHALL confer and notify chambers of alternative dates and times for the conference. Signed by Judge R David Proctor on 9/5/2017. (JLC) (Entered: 09/05/2017)
09/06/2017	<u>1503</u>		MOTION Defendants' Motion to Enforce Discovery Order No. 8 by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A Chart of Plaintiff Depositions)(Cottrell, Christa) (Entered: 09/06/2017)
09/06/2017	<u>1504</u>		NOTICE of Appearance by Jason M Knott on behalf of Plaintiffs' Counsel (Knott, Jason) (Entered: 09/06/2017)
09/06/2017	<u>1505</u>		DISCOVERY ORDER No. 65 DENYING <u>1424</u> MOTION to Quash Subpoenas, GRANTING IN PART and DENYING IN PART <u>1422</u> MOTION to Compel. Accordingly, the Subscriber Plaintiffs' <u>1422</u> MOTION to Compel is GRANTED to the limited extent that BCBS-AL and its non-charity subsidiaries shall produce to the Subscriber Plaintiffs, by October 2, 2017, one paper or electronic version of every contract entered into between BCBS-AL and any non-charity subsidiary in the years 2008 and 2013 only. In all other respects the motion to compel is DENIED. Signed by Magistrate Judge T Michael Putnam on 9/6/2017. (JLC) (Entered: 09/06/2017)

			09/06/2017)
09/06/2017	<u>1506</u>		STATUS REPORT <i>Defendants' Reconsideration of Exhibits to Keep Sealed From the Standard of Review Opening Briefs 1387 1459</i> by Defendants' Counsel. filed by Defendants' Counsel (Donnell, Sarah) (Entered: 09/06/2017)
09/06/2017	<u>1507</u>		RESPONSE in Opposition re <u>1503</u> MOTION Defendants' Motion to Enforce Discovery Order No. 8 filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/06/2017)
09/06/2017	<u>1508</u>		STATUS REPORT <i>on Structured Data (Subscriber Plaintiffs)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 09/06/2017)
09/07/2017	<u>1509</u>		RESPONSE to re <u>1508</u> by <i>Certain Defendants'</i> filed by Blue Cross Blue Shield of Arizona, HealthNow New York, Inc. d/b/a BlueCross BlueShield of Western New York and BlueShield of Northeastern New York, Blue Cross of Idaho Health Service, Inc., Blue Cross and Blue Shield of Nebraska, Blue Cross and Blue Shield of North Dakota, Blue Cross and Blue Shield of Wyoming. (Sooy, Kathleen) (Entered: 09/07/2017)
09/07/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 9/7/2017. (Court Reporter Teresa Roberson) (AVC) (Entered: 09/07/2017)
09/07/2017	<u>1510</u>		NOTICE by Prime Therapeutics LLC re <u>1410</u> SEALED MOTION <i>of Filing of [Proposed] Order</i> (Attachments: # <u>1</u> Exhibit A)(Lembke, Matthew) (Entered: 09/07/2017)
09/07/2017	<u>1511</u>		DISCOVERY ORDER No. 66 GRANTING IN PART and DENYING IN PART <u>1410</u> SEALED MOTION to Compel Prime Therapeutics LLC to Produce Documents and redacted version <u>1409</u> MOTION to Compel Subscriber Plaintiffs' Motion to Compel Prime Therapeutics LLC to Produce Documents. Signed by Magistrate Judge T Michael Putnam on 9/7/2017. (JLC) (Entered: 09/07/2017)
09/08/2017	<u>1512</u>		ORDER re <u>1503</u> MOTION Defendants' Motion to Enforce Discovery Order No. 8 filed by Defendants' Counsel ; the parties are directed to produced by 2:00 p.m. on Wednesday, 9/13/2017, an updated "Chart of Plaintiffs' Depositions" informing the court of how many depositions plaintiffs have completed. Signed by Magistrate Judge T Michael Putnam on 9/8/2017. (KAM,) (Entered: 09/08/2017)
09/08/2017	<u>1513</u>		NOTICE by Plaintiffs' Counsel <i>Withdrawal of Appearance</i> (Lyons, Michael) (Entered: 09/08/2017)
09/08/2017	<u>1514</u>		REPLY to re <u>1490</u> <i>in Support of Rule 72 Objection to Discovery Order No. 60</i> filed by Cedars-Sinai Medical Center. (Attachments: # <u>1</u> Exhibit A)(Brady, P) (Entered: 09/08/2017)
09/08/2017	<u>1515</u>		SUBSCRIBER PLAINTIFFS' MOTION for Protective Order <i>Subscriber Plaintiffs' Motion for Protective Order and Related Relief as to BCBS-AL's Contacts With Class Members</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D (Sealed), # <u>5</u> Exhibit E)(Ragsdale, Barry) Modified on 9/25/2017 (KAM,). (Entered: 09/08/2017)

09/08/2017	<u>1516</u>		Transcript of Proceedings held on 9/7/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/29/2017. Redacted Transcript Deadline set for 10/9/2017. Release of Transcript Restriction set for 12/7/2017. (Attachments: # <u>1</u> certification page) (KAM,) (Entered: 09/08/2017)
09/08/2017	<u>1521</u>		***Document Sealed – Notice of filing Subscriber Plaintiffs Unredacted version of their Motion for Protective order and related relief as to BCBS–AL's Contacts with class members and Exhibit D (Attachments: # <u>1</u> unredacted motion, # <u>2</u> Exhibit D) (KAM) (Entered: 09/11/2017)
09/11/2017	<u>1517</u>		STATUS REPORT <i>on Structured Data (Subscriber Plaintiffs)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 09/11/2017)
09/11/2017	<u>1518</u>		MOTION to Continue <i>Depositions of Marshall Morrisette and Brian Edwards</i> by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 09/11/2017)
09/11/2017	1519		TEXT ORDER. The Status Conference SET by Discovery Order No. 1 (doc. 229) shall be held on Thursday, September 28, 2017, at 1:00 PM in Courtroom 3B of the Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on September 11, 2017. (AMP) (Entered: 09/11/2017)
09/11/2017	1520		TEXT ORDER re <u>1518</u> Motion to Continue the Depositions of Marshall Morrisette and Brian Edwards. Any response to the motion is due no later than 1:00 p.m. CDT. A Telephone Hearing on the motion is SET for Tuesday, September 12, 2017, at 3:00 p.m. CDT before Magistrate Judge T Michael Putnam. Court reporter to be present. Parties are directed to attend the conference by dialing 888–636–3807 and entering access code 3676046. Signed by Magistrate Judge T Michael Putnam on September 11, 2017. (AMP) (Entered: 09/11/2017)
09/11/2017	<u>1522</u>		STIPULATION <i>of the Provider Plaintiffs and Non–Parties McGriff Seibels & Williams, Inc. and Jed Skeete</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Brown, W) (Entered: 09/11/2017)
09/11/2017	<u>1523</u>		RESPONSE to re <u>1491</u> <i>Defendants' Request to Maintain Seal</i> filed by Plaintiffs' Counsel. (Stokes, Tammy) (Entered: 09/11/2017)
09/11/2017	<u>1524</u>		RESPONSE to re <u>1491</u> <i>Aetna, Inc.'s Response to Defendants' Seal Justifications to Keep Sealed Certain Trade Secret Exhibits to the Standard of Review Response Briefs (D.E. 1491)</i> filed by AETNA, Inc.. (Attachments:

		# <u>1</u> Exhibit A)(Wells, H) (Entered: 09/11/2017)
09/12/2017	<u>1525</u>	ORDER UNSEALING CERTAIN DOCUMENTS – This matter is before the court on (1) various Motions from the parties (and one non-party) to maintain the seal on certain documents filed with the court under seal (Docs. <u>1390</u> , <u>1415</u> , <u>1446</u> , <u>1475</u> , <u>1495</u> , <u>1497</u> , <u>1498</u> and <u>1500</u>), (2) the Seal Teams September 1, 2017 Report regarding sealed exhibits to the parties initial Standard of Review briefing, and (3) Defendants Reconsideration of Exhibits to Keep Sealed <u>1506</u> ; In light of the Seal Teams September 1, 2017 Report, the Clerk of the Court is directed to unseal the following documents and/or exhibits:Document 1349–5;Document 1349–22;Document 1349–29;Document 1349–31;Document 1349–39;Document 1350–11 through Document 1350–14;Document 1350–19 through Document 1350–24;Document 1350–27;Document 1350–29;Document 1350–31;Document 1350–34 through Document 1350–58;Document 1352–14 through Document 1352–38;Document 1352–40;Document 1352–129 through Document 1352–163;Document 1352–182;Document 1352–207– 1352–210; Document 1352–212;Document 1352–214;Document 1352–228;Document 1352–229. Signed by Judge R David Proctor on 9/12/2017. (KAM) (Entered: 09/12/2017)
09/12/2017	<u>1526</u>	NOTICE by Plaintiffs' Counsel re <u>1518</u> MOTION to Continue <i>Depositions of Marshall Morrisette and Brian Edwards Supplement to Motion</i> (Hellums, Christopher) (Entered: 09/12/2017)
09/12/2017	<u>1527</u>	Opposition to <i>and Motion to Strike, Plaintiffs' Motion to Continue the Deposition of Brian Edwards</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 09/12/2017)
09/12/2017		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 9/12/2017. (Court Reporter Julie Martin) (ASL) (Entered: 09/12/2017)
09/12/2017	<u>1528</u>	SEALED MOTION – Subscriber and Provider plaintiffs' MOTION to COMPEL Blue Cross Blue Shield of Alabama to produce certain retrospective rate credit documents. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(KAM) (Entered: 09/12/2017)
09/12/2017	<u>1529</u>	DISCOVERY ORDER No. 67 – granting <u>1518</u> Motion to Continue; Subscriber Plaintiffs shall have until the week of October 2, 2017, to complete the deposition of Brian Edwards. Signed by Magistrate Judge T Michael Putnam on 9/12/2017. (KAM) (Entered: 09/12/2017)
09/12/2017	<u>1530</u>	RESPONSE to re <u>1517</u> <i>Excellus' Response to Subscriber Plaintiffs' Amended Status Report on Structured Data</i> filed by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Clark, Anna) (Entered: 09/12/2017)
09/12/2017	<u>1531</u>	MOTION to Compel <i>Blue Cross Blue Shield of Alabama to Produce Certain Retrospective Rate Credit Documents</i> by Subscriber and Provider Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) Modified on 9/25/2017 (KAM,). Modified on 9/27/2017 (ASL). (Entered: 09/12/2017)
09/13/2017	<u>1532</u>	Transcript of Proceedings held on September 12, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Julie A. Martin, Telephone number (205) 278–2066. Transcript may be viewed at the court public

		terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/4/2017. Redacted Transcript Deadline set for 10/14/2017. Release of Transcript Restriction set for 12/12/2017. (MRR,) (Entered: 09/13/2017)
09/13/2017		Minute Entry for proceedings held before Judge R David Proctor: Seal Team Status Conference held on 9/13/2017. (Court Reporter Leah Turner.) (KLL) (Entered: 09/13/2017)
09/13/2017	<u>1533</u>	STATUS REPORT <i>with Updated List of Plaintiffs' Depositions Pursuant to the Court's September 8, 2017 Order</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 09/13/2017)
09/13/2017	<u>1534</u>	STATUS REPORT <i>on Plaintiffs' Depositions and Accompanying Memorandum</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit A – Chart of Plaintiffs' Depositions)(Cottrell, Christa) (Entered: 09/13/2017)
09/13/2017	<u>1535</u>	MOTION to Enforce Discovery Order 3 and Continue Deposition of Harvard Pilgrim Health Care, Inc. by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Ragsdale, Barry) (Entered: 09/13/2017)
09/13/2017	<u>1536</u>	Opposition to <i>Subscriber Plaintiffs' Motion to Compel Relating to Retrospective Rate Credits</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Priester, James) (Entered: 09/13/2017)
09/14/2017	<u>1537</u>	RESPONSE to re <u>1517</u> <i>Wellmark's Response to Subscriber Plaintiffs' Amended Status Report on Structured Data</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 8/28/17 D. Bossier Email to A. Salomon, # <u>2</u> Exhibit B – 4/18/17 A. Salomon Letter to D. Bossier)(Laytin, Daniel) (Entered: 09/14/2017)
09/14/2017	1538	TEXT ORDER re <u>1535</u> MOTION to Enforce Discovery Order 3 and Continue Deposition of Harvard Pilgrim Health Care, Inc. <i>filed by Plaintiffs' Liaison Counsel</i> . Any interested party may respond to this motion by no later than 11:00 CDT on Friday, September 15, 2017. The Clerk is DIRECTED to serve a copy of this motion on Michelle Visser, counsel for Harvard Pilgrim Health Care Inc., at electronic mail address Michelle.Visser@ropesgray.com. Signed by Magistrate Judge T Michael Putnam on September 14, 2017. (AMP) (Entered: 09/14/2017)
09/14/2017	<u>1539</u>	RESPONSE in Opposition re <u>1496</u> MOTION for Protective Order <i>re: Discovery of 61 Non-Alabama Subscriber Plaintiffs</i> filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 09/14/2017)

09/14/2017	<u>1540</u>		Opposition to re <u>1535</u> <i>Plaintiffs' Expedited Motion to Enforce Discovery Order No. 3 and Continue Deposition of Harvard Pilgrim Health Care Inc.</i> filed by Defendants' Counsel. (Campbell, Andrew) (Entered: 09/14/2017)
09/14/2017	<u>1541</u>		RESPONSE to re <u>1517</u> <i>Response to Subscriber Plaintiffs' Amended Status Report on Structured Data for Anthem, BCBSFL, and BCBSMA</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 09/14/2017)
09/14/2017	<u>1542</u>		SEALED MOTION – Defendants' MOTION for RECONSIDERATION of the Court's August 31, 2017 Privilege Ruling. (KAM) (Entered: 09/14/2017)
09/14/2017	1543		TEXT ORDER – This matter is before the court on Subscriber Plaintiffs' Motion for a Protective Order and Related Relief as to BCBS–AL's Contacts with Class Members. <u>1515</u> Oral argument on this Motion will be heard by the undersigned at the October 5, 2017 Status Conference. The court adopts the parties' proposed briefing schedule: Defendant BCBS–AL's response is due on or before 12:00 noon on September 27, 2017; any reply by Subscriber Plaintiffs is due on or before 12:00 noon on October 3, 2017. Signed by Judge R David Proctor on 9/14/2017. (KAM) (Entered: 09/14/2017)
09/14/2017	<u>1544</u>		ORDER re Defendants' <u>1503</u> MOTION to Enforce Discovery Order No. 8. Plaintiffs are DIRECTED to file with the Court, by no later than noon CDT on Friday, September 15, 2017, a list of witnesses disclosed after August 1, 2016, in the accelerated Alabama actions. Defendants shall have until noon CDT on Monday, September 18, 2017, to notify the Court of any objections to the Plaintiffs' list. Signed by Magistrate Judge T Michael Putnam on 9/14/2017. (JLC) (Entered: 09/14/2017)
09/14/2017	1545		TEXT ORDER denying <u>1535</u> Plaintiffs' Expedited Motion to Enforce Discovery Order No. 3 (Dkt. # 327) and Continue Deposition of Harvard Pilgrim Health, Inc., only insofar as the deposition of Harvard Pilgrim SHALL go forward on Tuesday, September 19, 2017, as previously scheduled. Further direction from the court as to the Plaintiffs' Motion to be entered. Signed by Magistrate Judge T Michael Putnam on September 14, 2017. (AMP) (Entered: 09/14/2017)
09/14/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 9/14/2017. (Court Reporter Julie Martin) (ASL) (Entered: 09/14/2017)
09/14/2017	<u>1546</u>		MOTION to Continue <i>Class Certification Deadlines</i> by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 09/14/2017)
09/15/2017	<u>1547</u>		RESPONSE in Opposition re <u>1546</u> MOTION to Continue <i>Class Certification Deadlines (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 09/15/2017)
09/15/2017	1548		TEXT ORDER finding as MOOT <u>1340</u> Provider Plaintiffs' Motion to Compel Compliance with Rule 45 by Navigant Consulting, Inc., following the Discovery Telephone Conference held September 14, 2017. Signed by Magistrate Judge T Michael Putnam on September 15, 2017. (AMP) (Entered: 09/15/2017)
09/15/2017	<u>1549</u>		STATUS REPORT of <i>List of Witnesses Disclosed by Defendants after August 1, 2016</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison

			Counsel (Ragsdale, Barry) (Entered: 09/15/2017)
09/15/2017	<u>1550</u>		MOTION to Withdraw by Blue Cross and Blue Shield of Alabama. (Franz, Jacob) (Entered: 09/15/2017)
09/15/2017	<u>1551</u>		REPLY to re <u>1353</u> <i>Defendants' Motion for Summary Judgment on Plaintiffs' Section 1, Per Se, and Quick Look Claims</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit Slip Sheet Regarding Sealed Exhibits, # <u>3</u> Exhibit 163, # <u>4</u> Exhibit 165)(Zott, David) (Entered: 09/15/2017)
09/15/2017	<u>1552</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1348</u> MOTION for Partial Summary Judgment by <i>Subscriber Plaintiffs</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit Slip Sheet for Sealed Exhibits 317–329)(Hellums, Christopher) (Entered: 09/15/2017)
09/15/2017	<u>1553</u>		REPLY to Response to Motion re <u>1350</u> SEALED MOTION <i>Provider Plaintiffs' Motion for Partial Summary Judgment</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit KKKKK, # <u>2</u> Exhibit LLLLL, # <u>3</u> Exhibit 48, # <u>4</u> Exhibit 49, Part 1, # <u>5</u> Exhibit 49, Part 2, # <u>6</u> Exhibit 49, Part 3, # <u>7</u> Exhibit 50, # <u>8</u> Exhibit 51, # <u>9</u> Exhibit 52, # <u>10</u> Exhibit MMMMM, # <u>11</u> Exhibit NNNNN)(Whatley, Joe) (Entered: 09/15/2017)
09/15/2017	<u>1554</u>		***Document Sealed – Reply Memorandum of Points and Authorities in Further Support of Subscriber plaintiff's Motion for Partial Summary Judgment on the application of the per se rule (KAM) [Should not be unsealed. Contains privileged content that was clawed back pursuant to the Courts order (Dkt. 2014). The revised sealed version of this filing can be found at Dkt. 2576.] Modified on 5/27/2020 (KAM). (Entered: 09/18/2017)
09/15/2017	<u>1555</u>		***Document Sealed – EVIDENTIARY SUBMISSION in further support of Subscriber Plaintiffs' Motion for Partial Summary Judgment on the application of the per se rule. (Attachments: # <u>1</u> Exhibit 317, # <u>2</u> Exhibit 318 [Should not be unsealed. Contains privileged content and is subject to the Courts partial claw back order (Dkt. 2014). The revised, fully public exhibit can be found at Dkt. 2569–1.], # <u>3</u> Exhibit 319, # <u>4</u> Exhibit 320, # <u>5</u> Exhibit 321, # <u>6</u> Exhibit 322, # <u>7</u> Exhibit 323, # <u>8</u> Exhibit 324, # <u>9</u> Exhibit 325, # <u>10</u> Exhibit 327, # <u>11</u> Exhibit 328, # <u>12</u> Exhibit 329) (KAM) (Additional attachment(s) added on 9/18/2017: # <u>13</u> Exhibit 326) (KAM,). Modified on 5/27/2020 (KAM,). (Entered: 09/18/2017)
09/15/2017	<u>1556</u>		***Document Sealed – Reply in Support of Defendants' Motion for Summary Judgment on Plaintiffs' Section 1, Per Se and Quick Look Claims (Attachments: # <u>1</u> Exhibit 160, # <u>2</u> Exhibit 161, # <u>3</u> Exhibit 162, # <u>4</u> Exhibit 164) (KAM,) (Entered: 09/18/2017)
09/15/2017	<u>1557</u>		***Document Sealed – Reply is Support of Provider Plaintiffs' Motion for Partial Summary Judgment (Attachments: # <u>1</u> Exhibit KKKKK, # <u>2</u> Exhibit LLLLL, # <u>3</u> Exhibit 48, # <u>4</u> Exhibit 49, # <u>5</u> Exhibit 50, # <u>6</u> Exhibit 51, # <u>7</u> Exhibit 52, # <u>8</u> Exhibit MMMMM, # <u>9</u> Exhibit NNNNN) (KAM,) (Entered: 09/18/2017)
09/18/2017	1558		TEXT ORDER This matter is before the court on the Motion to Withdraw filed by attorney Jacob J. Franz. <u>1550</u> The Motion <u>1550</u> is GRANTED . The Clerk of the Court is directed to terminate attorney Franz. Signed by Judge R

		David Proctor on 9/18/20017. (KAM) (Entered: 09/18/2017)
09/18/2017	<u>1559</u>	RESPONSE to re <u>1549</u> <i>Subscriber and Provider Plaintiffs' List of Witnesses Disclosed by Defendants After August 1, 2016</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – Chart of Plaintiffs' Depositions, # <u>2</u> Exhibit B – 5/24/2016 Butterfield Email to Yinger)(Cottrell, Christa) (Entered: 09/18/2017)
09/18/2017	<u>1560</u>	Transcript of Proceedings held on September 14, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Julie A. Martin, Telephone number (205) 278–2066. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/9/2017. Redacted Transcript Deadline set for 10/19/2017. Release of Transcript Restriction set for 12/17/2017. (MRR,) (Entered: 09/18/2017)
09/18/2017	<u>1561</u>	RESPONSE to Motion re <u>1546</u> MOTION to Continue <i>Class Certification Deadlines</i> filed by Defendants' Counsel. (Cottrell, Christa) (Entered: 09/18/2017)
09/19/2017	<u>1562</u>	DISCOVERY ORDER No. 68 – granting <u>1503</u> Motion to enforce discovery order no. 8 ; insofar as Plaintiffs are LIMITED to conducting 117 depositions regarding factual discovery. To the extent Plaintiffs wish to conduct additional depositions, Plaintiffs MUST seek leave of the court and show good cause for each additional deposition sought. Signed by Magistrate Judge T Michael Putnam on 9/19/2017. (KAM) Modified on 9/20/2017 (KAM,). (Entered: 09/19/2017)
09/20/2017	<u>1563</u>	SUBSCRIBER PLAINTIFFS' MOTION to Compel <i>Oustanding Data from Non–Party Humana (Subscriber Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Hellums, Christopher) Modified on 9/25/2017 (KAM,). (Entered: 09/20/2017)
09/20/2017	<u>1564</u>	Transcript of Proceedings held on 9/13/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/11/2017. Redacted Transcript Deadline set for 10/21/2017. Release of Transcript Restriction set for 12/19/2017. (KAM,) (Entered: 09/20/2017)

			09/20/2017)
09/20/2017	<u>1565</u>		STIPULATION of the Provider Plaintiffs and Non-Parties McGriff Seibels & Williams, Inc. and Jed Skeete by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Brown, W) (Entered: 09/20/2017)
09/21/2017	1566		TEXT ORDER re <u>1563</u> MOTION to Compel Outstanding Data from Non-Party Humana. Any response to the Motion is due no later than noon CDT on Tuesday, September 26, 2017. The motion will be heard at the Discovery Status Conference set for Thursday, September 28, 2017. (See Text Order 1519). Signed by Magistrate Judge T Michael Putnam on September 21, 2107. (AMP) (Entered: 09/21/2017)
09/21/2017	<u>1567</u>		THIRD AMENDED SCHEDULING ORDER – GRANTING Subscriber Plaintiffs' <u>1546</u> MOTION to Continue <i>Class Certification Deadlines</i> ; Fact Discovery shall be completed by 12/1/2017; Class Certification Discovery is due as set out in this order; Motions for class certification and materials in support shall be filed by 1/15/2018; opposition briefs are due by 4/3/2018; reply briefs are due by 5/18/2018; Daubert motions seeking to exclude any class certification expert witness SHALL be filed within seventy-five days of disclosure of the experts report; Damages and Merits Expert Reports and Discovery are due from plaintiffs on 1/31/2018; due from defendants on 4/3/2018; rebuttals from plaintiffs are due on 5/18/2018; Dispositive Motions on issues of Liability and materials in support are due on 4/13/2018; The court will set a pretrial conference at its discretion Signed by Judge R David Proctor on 9/21/2017. (KAM,) (Entered: 09/21/2017)
09/21/2017	<u>1568</u>		DISCOVERY ORDER No. 69 granting in part and denying in part <u>1528</u> Sealed Motion to Compel; Subscriber Plaintiffs motion is GRANTED as to this category of document requests, and BCBS-AL is DIRECTED to produce to the Subscribers such documents or other information BCBS-AL used to report or disclose to the Alabama Department of Insurance the formulas, methods, or manner in which the RRC and the RRC renewal credits were calculated for each class member merit group (groups of between 50 to 200 members) from 2009 to 2016; BCBS-AL is DIRECTED to produce such full reports to the Subscribers for the years 2009 to 2016, including any documents showing RRC true-ups during that period; Insofar as there exists a distinct and identifiable set of reports related to the calculation of each groups RRC, the motion to compel is GRANTED, and BCBS-AL is DIRECTED to produce such reports; the Subscriber Plaintiffs may, by October 2, 2017, identify to BCBS-AL the 30 merit groups with the greatest positive RRC in any single year of their choice (noting for BCBS-AL the year from which these merit groups were chosen). By October 20, 2017, BCBS-AL shall produce to the Subscribers such reports or spreadsheets as may exist showing the calculation of the renewal premiums for each of these 30 merit groups in each year from 2009 to 2016; Unless otherwise stated herein, production required by this Order shall be made by October 20, 2017. In all other respects, the motion to compel is DENIED. Signed by Magistrate Judge T Michael Putnam on 9/21/2017. (KAM) (Entered: 09/21/2017)
09/21/2017	<u>1569</u>		REPLY to Response to Motion re <u>1392</u> MOTION for Partial Summary Judgment Against Anthem, Inc. Regarding Issues Decided in United States v.

		<i>Anthem (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit C, # <u>2</u> Exhibit D, # <u>3</u> Exhibit E)(Whatley, Joe) (Entered: 09/21/2017)
09/21/2017	<u>1570</u>	DEFENDANTS' MOTION to Keep Sealed Defendants' Motion for Reconsideration of the Court's August 31, 2017 Privilege Ruling re <u>1542</u> SEALED MOTION by Defendants' Counsel. (Laytin, Daniel) Modified on 9/25/2017 (KAM,). (Entered: 09/21/2017)
09/21/2017	<u>1571</u>	REPLY to Response to Motion re <u>1496</u> MOTION for Protective Order <i>re: Discovery of 61 Non-Alabama Subscriber Plaintiffs</i> filed by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 09/21/2017)
09/22/2017	<u>1572</u>	ORDER denying <u>1542</u> Sealed Motion– Defendants Motion for Reconsideration of the Courts August 31, 2017 Privilege Ruling. Signed by Judge R David Proctor on 9/22/2017. (KAM) (Entered: 09/22/2017)
09/22/2017	1573	TEXT ORDER –This matter is before the court on the Seal Teams September 22, 2017 Report regarding Plaintiffs' Motion to Compel Blue Cross Blue Shield of Alabama to Produce Certain Retrospective Rate Credit Documents and Exhibits 1, 2 and 3. In light of that Report, the Clerk of the Court is directed to unseal the following documents and/or exhibits: Documents No.1528, 1528–1, 1528–2, and 1528–3. <u>1528</u> , [1528–1], [1528–2], and [1528–3]. Signed by Judge R David Proctor on 9/22/2017. (KAM) (Entered: 09/22/2017)
09/22/2017	<u>1574</u>	NOTICE of Appearance by Timothy D Battin on behalf of Plaintiffs' Counsel (Battin, Timothy) (Entered: 09/22/2017)
09/22/2017	<u>1575</u>	STATUS REPORT <i>Regarding Post–9/25 Discovery on Behalf of Plaintiffs and Defendants</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 09/22/2017)
09/22/2017	<u>1576</u>	STATUS REPORT <i>Seal Justification for Doc. # 1555, 1556, and 1557</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Appendix A – Exhibits to Remain Sealed, # <u>2</u> Appendix B – Exhibits to Unseal, # <u>3</u> Appendix C – 9/21/2017 MultiPlan Hubbard Affidavit)(Donnell, Sarah) (Entered: 09/22/2017)
09/25/2017	<u>1577</u>	ORDER REGARDING CEDARS–SINAI MEDICAL CENTERS RULE 72 OBJECTION TO DISCOVERY ORDER NO. 6 – for the reasons set forth in this order, Cedars–Sinai's Rule 72 Objection to Discovery Order No. 60 <u>1417</u> is OVERRULED. Signed by Judge R David Proctor on 9/25/2017. (KAM) (Entered: 09/25/2017)
09/26/2017	<u>1578</u>	RESPONSE in Opposition re <u>1563</u> MOTION to Compel <i>Outstanding Data from Non–Party Humana (Subscriber Plaintiffs) Non–Party Humana Inc.'s Opposition to Subscriber Plaintiffs' Motion to Compel Outstanding Data from Non–Party Humana</i> filed by Humana Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Turner, Sara) (Entered: 09/26/2017)
09/26/2017	<u>1579</u>	NOTICE of Appearance by Charles J Cooper on behalf of Plaintiffs' Counsel (Cooper, Charles) (Entered: 09/26/2017)
09/26/2017	<u>1580</u>	ORDER – Due to the number of items anticipated on the agenda for the October 5, 2017 status conference, the order setting the October 5, 2017 status conference is AMENDED as follows: this case has been SET for a

			status conference at 1:00 p.m. on Wednesday, October 4, 2017, and continuing at 9:00 a.m. on Thursday, October 5, 2017. Both sessions will take place in Courtroom 7A; The Special Master will provide call in numbers for the conference. On or before Friday, September 29, 2017, the parties SHALL submit a joint report containing a proposed agenda and schedule for items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 9/26/2017. (KAM) (Entered: 09/26/2017)
09/27/2017	<u>1581</u>		NOTICE of Informative Motion <i>regarding Hurricane Maria</i> by Triple-S Salud, Inc. (Pabon Rico, Gustavo) Modified on 9/27/2017 (ASL). (Entered: 09/27/2017)
09/27/2017	<u>1582</u>		Opposition to <i>Subscriber Plaintiffs' Motion for Protective Order</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Burkhalter, Carl) (Entered: 09/27/2017)
09/27/2017	<u>1583</u>		STATUS REPORT <i>Subscriber Plaintiffs' Interim Report on Documents Relevant to BCBS-AL's contacts with Prospective Class Members (Doc 1515)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B (Sealed))(Ragsdale, Barry) (Entered: 09/27/2017)
09/27/2017	<u>1584</u>		***Document Sealed – Subscriber Plaintiff's Unredacted Interim Report of Documents Relevant to BCBS-AL's Contacts with Prospective Class Members <u>1515</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 09/27/2017)
09/27/2017	<u>1585</u>		***Document Sealed – DEFENDANTS' Notice of filing Exhibits in support of Blue Cross and Blue Shield of Alabama's Opposition to Subscriber Plaintiffs' Motion for Protective Order <u>1582</u> (Attachments: # <u>1</u> Exhibit D, # <u>2</u> Exhibit E, # <u>3</u> Exhibit F) (KAM) (Entered: 09/27/2017)
09/28/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference and Motion Hearing held on 9/28/2017; arguments by counsel, re <u>1496</u> MOTION for Protective Order <i>re: Discovery of 61 Non-Alabama Subscriber Plaintiffs</i> ; hrg adj (Court Reporter Teresa Roberson) (ASL) (Entered: 09/28/2017)
09/28/2017	<u>1586</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT of Edgar C. Gentle, III, the Court-Appointed Special Master, for payment for services rendered and expenses incurred from August 1, 2017 through August 31, 2017 in this matter relating solely to services provided to the Plaintiffs, and totaling \$47,000.00. Signed by Judge R David Proctor on 9/28/2017. (KAM,) (Entered: 09/28/2017)
09/28/2017	<u>1587</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT of Edgar C. Gentle, III, the Court-Appointed Special Master, for payment for services rendered and expenses incurred from August 1, 2017 through August 31, 2017 in this matter as it relates to services rendered for both sides of the case, and totaling \$4,500.00. Signed by Judge R David Proctor on 9/28/2017. (KAM) (Entered: 09/28/2017)
09/29/2017	<u>1588</u>		STATUS REPORT <i>Report Regarding Proposed Agenda and Dial-In Instructions for Status Conference on October 4 and 5 2017</i> by Special Master. filed by Special Master (Attachments: # <u>1</u> Exhibit October 4 2017

		Dial In Instructions, # <u>2</u> Exhibit October 5 2017 Dial In Instructions)(Gentle, Edgar) (Entered: 09/29/2017)
09/29/2017	<u>1589</u>	Brief re <u>1576</u> Status Report, <i>in Opposition to Seal Request</i> . (Stokes, Tammy) (Entered: 09/29/2017)
09/29/2017	<u>1590</u>	MOTION to Enter It's Proposed Order Regarding This Court's Show Cause Order dated April 21, 2017 by Anthem, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Kurtz, Glenn) (Entered: 09/29/2017)
09/29/2017	<u>1591</u>	Brief re <u>1576</u> Status Report, <i>in Opposition to Seal Request (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Quillen, Henry) (Entered: 09/29/2017)
09/29/2017	<u>1592</u>	MOTION for Joinder <i>in Anthem's Motion to Enter its Proposed Order Regarding This Court's Show Cause Order Dated April 21, 2017</i> by Defendants' Counsel. (Laytin, Daniel) (Entered: 09/29/2017)
10/02/2017	1593	TEXT ORDER finding as moot <u>1563</u> Subscribers Plaintiffs' Motion to Compel Outstanding Data from Non-Party Humana, following the Discovery Status Conference held September 28, 2017. Signed by Magistrate Judge T Michael Putnam on October 2, 2017. (JTS) (Entered: 10/02/2017)
10/02/2017	<u>1594</u>	DISCOVERY ORDER No. 70 denying <u>1496</u> Motion for Protective Order. Signed by Magistrate Judge T Michael Putnam on 10/2/2017. (KAM,) (Entered: 10/02/2017)
10/02/2017	1595	TEXT ORDER – This matter is before the court on Defendants' Motion to Keep Sealed Defendants' Motion for Reconsideration. <u>1570</u> The Motion <u>1570</u> is DENIED. Although privileged or proprietary material filed with discovery motions is not subject to the common-law right of access, see <i>Romero v. Drummond Co.</i> , 480 F.3d 1234, 1245 (11th Cir. 2007), the Motion to Reconsider <u>1542</u> does not disclose any privileged or proprietary material except through general (i.e., non-specific) reference. Therefore, the Clerk of the Court is directed to UNSEAL document 1542. <u>1542</u> . Signed by Judge R David Proctor on 10/2/2017. (KAM,) (Entered: 10/02/2017)
10/02/2017	<u>1596</u>	Transcript of Proceedings held on 9–28–2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/23/2017. Redacted Transcript Deadline set for 11/2/2017. Release of Transcript Restriction set for 12/31/2017. (Attachments: # <u>1</u> certification) (KAM,) Modified on 10/5/2017 (KAM,). (Entered: 10/02/2017)
10/02/2017	<u>1597</u>	

			RESPONSE in Opposition re <u>1592</u> MOTION for Joinder in <i>Anthem's Motion to Enter its Proposed Order Regarding This Court's Show Cause Order Dated April 21, 2017</i> , <u>1590</u> MOTION to Enter Its Proposed Order Regarding This Court's Show Cause Order dated April 21, 2017 filed by CIGNA Health and Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Weller, Christopher) (Entered: 10/02/2017)
10/03/2017	<u>1598</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1515</u> MOTION for Protective Order <i>Subscriber Plaintiffs' Motion for Protective Order and Related Relief as to BCBS-AL's Contacts With Class Members</i> filed by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 10/03/2017)
10/03/2017	<u>1599</u>		NOTICE of Appearance by Andrew W Hammond on behalf of Anthem, Inc. (Hammond, Andrew) (Entered: 10/03/2017)
10/04/2017			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 10/4/2017. (Court Reporter Leah Turner.) (KLL) (Entered: 10/04/2017)
10/05/2017	<u>1600</u>		TRANSFER ORDER OF THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION transferring 2 civil actions to be included in MDL 2406 BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION (Attachments: # <u>1</u> Schedule A)(KAM) (Entered: 10/05/2017)
10/05/2017			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 10/5/2017. (Court Reporter Leah Turner.) (KLL) (Entered: 10/05/2017)
10/06/2017	<u>1601</u>		NOTICE of Appearance by Alexander McInnis Boies on behalf of Plaintiffs' Counsel (Boies, Alexander) (Entered: 10/06/2017)
10/10/2017	<u>1602</u>		CIGNA Corporation and ANTHEM Inc's STIPULATION RESOLVING SHOW CAUSE ORDER (KAM) ** unsealed per order 1631 Modified on 10/19/2017 (KAM). (Entered: 10/10/2017)
10/10/2017	<u>1603</u>		ORDER REGARDING DEFENDANTS PRIVILEGE LOGS – As discussed on the record in open court, on or before Friday, October 13, 2017, the parties are ORDERED to (1) meet and confer to narrow and crystalize the disputes and (2) develop a process and schedule for resolving those disputes. On or before Monday, October 16, 2017, the parties SHALL file a joint report regarding a proposed process and schedule for resolving any privilege log disputes.Signed by Judge R David Proctor on 10/10/2017. (KAM) (Entered: 10/10/2017)
10/10/2017	<u>1604</u>		ORDER granting in part and denying in part <u>1515</u> Motion for Protective Order without prejudice; The Motion sought five separate categories of relief. (Doc. # 1515 at 8). The requests for relief in categories 1, 2, 3 and 5 are DENIED; The request for relief sought in category 4 (responses to Plaintiffs requests for information) is GRANTED IN PART, as discussed more fully on the record in open court. Signed by Judge R David Proctor on 10/10/2017. (KAM) (Entered: 10/10/2017)
10/10/2017	1605		TEXT ORDER – This matter is before the court on the Seal Teams October 9, 2017 Report regarding Subscriber Plaintiffs' Unredacted Interim Report of Documents Relevant to BCBS-AL's Contacts with Prospective Class

		Members and Exhibits A and B thereto. In light of that Report, the Clerk of the Court is directed to unseal the following documents and/or exhibits: Documents No. 1584, 1584-1, and 1584-2. <u>1584</u> [1584-1] [1584-2].. Signed by Judge R David Proctor on 10/10/2017. (KAM,) (Entered: 10/10/2017)
10/10/2017	<u>1606</u>	ORDER that the parties having reached an agreement; Anthems Motion to Enter its Proposed Order Regarding this Courts Show Cause Order Dated April 21, 2017 <u>1590</u> is MOOT. Signed by Judge R David Proctor on 10/10/2017. (KAM) (Entered: 10/10/2017)
10/11/2017	<u>1607</u>	Transcript of Proceedings held on 10/4/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/1/2017. Redacted Transcript Deadline set for 11/11/2017. Release of Transcript Restriction set for 1/9/2018. (KAM,) (Entered: 10/11/2017)
10/11/2017	<u>1608</u>	NOTICE by Plaintiffs' Liaison Counsel <i>Regarding Request for Additional Deposition Time for BCBS-AL Witness Noel Carden</i> (Ragsdale, Barry) (Entered: 10/11/2017)
10/11/2017	1609	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on October 26, 2017, at 1:00 PM in Courtroom 3B of the Hugo L. Black US Courthouse, Birmingham, Alabama, before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discover Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on October 11, 2017. (JTS) (Entered: 10/11/2017)
10/11/2017	<u>1610</u>	MOTION for Reconsideration re <u>815</u> Order <i>Subscriber Plaintiffs' Motion for Reconsideration of Oct 28, 16 Order and Discovery Order No. 33</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Sealed, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E – Sealed)(Ragsdale, Barry) (Entered: 10/11/2017)
10/11/2017	<u>1611</u>	***Document Sealed ** SUBSCRIBER PLAINTIFFS' Unredated Motion for reconsideration of October 28, 2016 Order and Discovery Order No. 33 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit E) (KAM,) (Entered: 10/11/2017)
10/12/2017	<u>1612</u>	SEALED MOTION **SUBSCRIBER PLAINTIFFS' MOTION TO COMPEL defendant BCBSAL to produce identifying data. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(KAM) (Entered: 10/12/2017)
10/12/2017	<u>1613</u>	

		<p>Transcript of Proceedings held on 10/5/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/2/2017. Redacted Transcript Deadline set for 11/12/2017. Release of Transcript Restriction set for 1/10/2018. (KAM,) (Entered: 10/12/2017)</p>
10/12/2017	<u>1614</u>	<p>***Document Sealed ** PROVIDER PLAINTIFFS' RESPONSE in opposition to Blue Cross Blue Shield of Michigan's MOTION to COMPEL Provider Plaintiffs to answer discovery requests (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 10/12/2017)</p>
10/12/2017	<u>1615</u>	<p>MOTION to Compel <i>Attendance at a Deposition (Provider Plaintiffs')</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Whatley, Joe) (Entered: 10/12/2017)</p>
10/12/2017	<u>1616</u>	<p>RESPONSE in Opposition re <u>1463</u> SEALED MOTION (<i>Provider Plaintiffs'</i>) <i>Public Version</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 10/12/2017)</p>
10/12/2017	1617	<p>TEXT ORDER re <u>1610</u> Subscriber Plaintiffs' Motion for Reconsideration of October 28, 2016 Order and Discovery Order No. 33 and <u>1612</u> Subscriber Plaintiffs' Motion to Compel Defendant BCBSAL to Produce Identifying Data. Responses to each motion shall be filed no later than October 19, 2017, and replies, if any, shall be filed no later than October 24, 2017. Signed by Magistrate Judge T Michael Putnam on October 12, 2017. (JTS) (Entered: 10/12/2017)</p>
10/12/2017		<p>Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 10/12/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 10/12/2017)</p>
10/12/2017	1618	<p>TEXT ORDER re <u>1463</u> Defendant BCBS-MI's Motion to Compel Provider Plaintiffs to Answer Discovery Requests. Oral arguments are set for October 26, 2017, at the Status Conference. Signed by Magistrate Judge T Michael Putnam on October 12, 2017. (JTS) (Entered: 10/12/2017)</p>
10/12/2017	1619	<p>TEXT Order. Per the discussions during the October 12, 2017, telephone conference, the following briefing schedule is set for the clawback issue raised by the defendants: If the issue has not been resolved, the defendants shall file a Motion to Compel the clawback by no later than October 19, 2017, and a response from the plaintiffs to such a motion will be due by no later than October 24, 2017. Signed by Magistrate Judge T Michael Putnam on October 12, 2017. (JTS) (Entered: 10/12/2017)</p>
10/13/2017	1620	<p>TEXT ORDER re <u>1615</u> Provider Plaintiffs' Motion to Compel Attendance at a Deposition. Any response to the motion by Randall Abbott is due no later</p>

		than October 19, 2017. Movant's reply, if any, is due by October 24, 2017. Signed by Magistrate Judge T Michael Putnam on October 13, 2017. (JTS) (Entered: 10/13/2017)
10/13/2017	<u>1621</u>	Transcript of Proceedings held on 10/12/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/3/2017. Redacted Transcript Deadline set for 11/13/2017. Release of Transcript Restriction set for 1/11/2018. (KAM,) (Entered: 10/13/2017)
10/13/2017	<u>1622</u>	DISCOVERY ORDER NO. 71 re <u>1608</u> Notice (Other) filed by Plaintiffs' Liaison Counsel—Plaintiffs' request for additional time to take Carden deposition is GRANTED; Plaintiffs may use 3.5 additional hours for the deposition. Oral Motion by BCBS—AL to postpone Carden deposition GRANTED, to be re-scheduled by October 30, 2017. Signed by Magistrate Judge T Michael Putnam on 10/13/2017. (Putnam, T) (Entered: 10/13/2017)
10/16/2017	<u>1623</u>	STATUS REPORT <i>on Behalf of Plaintiffs and Defendants Regarding Privilege Logs</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Exhibit A–D (SEALED), # <u>2</u> Exhibit E, # <u>3</u> Exhibit F, # <u>4</u> Exhibit G, # <u>5</u> Exhibit H (SEALED), # <u>6</u> Exhibit I)(Ragsdale, Barry) (Entered: 10/16/2017)
10/16/2017	<u>1624</u>	***Document Sealed **PLAINTIFFS' and DEFENDANTS' JOINT STATUS REPORT OF PRIVILEGE LOGS (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit H) (KAM) (Entered: 10/17/2017)
10/16/2017	<u>1625</u>	**CIGNA CORPORATION'S Unopposed Motion for leave to file the attached letter under seal (KAM) Document unsealed Modified on 10/17/2017 (KAM,). (Entered: 10/17/2017)
10/17/2017	1626	TEXT ORDER —This matter is before the court on Cigna Corporation's Unopposed Motion for Leave to File Under Seal. <u>1625</u> The Motion <u>1625</u> is DENIED . The Clerk of the Court is directed to UNSEAL <?b> the Motion and the accompanying letter. <u>1625</u> On or before 12:00 noon on October 20, 2017, Cigna and Anthem SHALL file a joint status report regarding the development of the chronology discussed at the October 4–5, 2017 hearing. Whereas the chronology may be filed under seal, the report may not. Signed by Judge R David Proctor on 10/17/2017. (KAM,) (Entered: 10/17/2017)
10/17/2017	<u>1627</u>	NOTICE by Plaintiffs' Liaison Counsel re <u>1623</u> Status Report, (<i>Correction to Joint Status Report</i>) (Ragsdale, Barry) (Entered: 10/17/2017)
10/18/2017	<u>1628</u>	

			STATUS REPORT <i>Regarding Authenticity and Admissibility</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Text of Proposed Order)(Ragsdale, Barry) (Entered: 10/18/2017)
10/19/2017	<u>1629</u>		RESPONSE to <i>Plaintiffs' Notice of Correction to Joint Status Report on Privilege Logs</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Priester, James) (Entered: 10/19/2017)
10/19/2017	<u>1630</u>		RESPONSE to re <u>1628</u> <i>Plaintiffs' Status Report</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Hoover, Craig) (Entered: 10/19/2017)
10/19/2017	1631		TEXT ORDER – This matter is before the court on the Seal Teams October 19, 2017 Report regarding Cigna Corporations and Anthem Inc.s Stipulation Resolving Show Cause Order. <u>1602</u> In light of that Report, the Clerk of the Court is directed to unseal the following document: Document No. 1602. <u>1602</u> . Signed by Judge R David Proctor on 10/19/2017. (KAM) (Entered: 10/19/2017)
10/19/2017	<u>1632</u>		NOTICE by Plaintiffs' Counsel of <i>Withdrawal of Appearance of Jennifer Williams</i> (Eisler, Robert) (Entered: 10/19/2017)
10/19/2017	1633		TEXT ORDER. Per the discussions of last two telephone conferences held on October 12 and 19, 2017, the parties have raised and discussed an issue related to BCBS–ALs request for a clawback of inadvertently disclosed privileged documents, and the parties agree that the issue is MOOT. Signed by Magistrate Judge T Michael Putnam on October 19, 2017. (JTS) (Entered: 10/19/2017)
10/19/2017	<u>1634</u>		***Document Sealed **SUBSCRIBER PLAINTIFFS***Notice of Filing Corrected Exhibit G to the 10/12/2017 motion to compel BCBSAL to Produce Identifying Data (Attachments: # <u>1</u> Exhibit Corrected Exhibit G) (KAM) (Entered: 10/19/2017)
10/19/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 10/19/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 10/19/2017)
10/19/2017	<u>1635</u>		Opposition to <i>Subscriber Plaintiffs' Motion for Reconsideration of October 28, 2016 Order and Discovery Order No. 33</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Burkhalter, Carl) (Entered: 10/19/2017)
10/19/2017	<u>1636</u>		MOTION to Seal <i>BCBSAL's Motion to Maintain Seal as to Certain Exhibits to Subscriber Plaintiffs' Motion to Compel</i> by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 10/19/2017)
10/19/2017	<u>1637</u>		RESPONSE to <i>Subscriber Plaintiffs' Motion to Compel Defendant to Produce Identifying Data</i> filed by Blue Cross and Blue Shield of Alabama. (Malatesta, John) (Entered: 10/19/2017)
10/20/2017	<u>1638</u>		STATUS REPORT <i>Joint</i> by Anthem, Inc.. filed by Anthem, Inc. (Kimble, Cavender) (Entered: 10/20/2017)

10/20/2017	<u>1639</u>		Transcript of Proceedings held on 10/19/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/10/2017. Redacted Transcript Deadline set for 11/20/2017. Release of Transcript Restriction set for 1/18/2018. (KAM,) (Entered: 10/20/2017)
10/20/2017	<u>1640</u>		NOTICE by Blue Cross and Blue Shield of Alabama <i>Notice of Filing Corrected Exhibit B to its Opposition to Subscriber Plaintiffs' Motion for Reconsideration of October 28, 2016 Order and Discovery Order No.33</i> (Attachments: # <u>1</u> Exhibit B)(Burkhalter, Carl) (Entered: 10/20/2017)
10/23/2017	1641		TEXT ORDER – This matter is before the court on BCBSAL's Motion to Maintain the Seal. <u>1636</u> The Clerk of the Court is directed to terminate the Motion. <u>1636</u> The parties may respond, and the court will expect the Seal Team's report in due course. Signed by Judge R David Proctor on 10/23/2017. (KAM) (Entered: 10/23/2017)
10/23/2017	<u>1642</u>		REPLY to re <u>1463</u> <i>in Support of its Motion to Compel Provider Plaintiffs to Answer Discovery Requests</i> filed by Blue Cross Blue Shield Michigan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Campbell, Andrew) (Entered: 10/23/2017)
10/23/2017	<u>1643</u>		STATUS REPORT <i>BCBSA's Seal Justification for Doc. # 1624–3 and 1624–4</i> by Defendants' Counsel. filed by Defendants' Counsel (Donnell, Sarah) (Entered: 10/23/2017)
10/24/2017	<u>1644</u>		RESPONSE to <i>Plaintiffs' Notice of Correction to 1623 Joint Status Report on Privilege Logs</i> filed by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Clark, Anna) (Entered: 10/24/2017)
10/24/2017	<u>1645</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 9/1/2017 through 9/30/2017 in this matter as it relates to services rendered for both sides of the case, and totaling \$7,500.00. Signed by Judge R David Proctor on 10/24/2017. (KAM,) (Entered: 10/24/2017)
10/24/2017	<u>1646</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2017 through September 30, 2017 in this matter relating solely to services provided to the Plaintiffs, and totaling \$46,500.00. Signed by Judge R David Proctor on 10/24/2017. (KAM,) (Entered: 10/24/2017)
10/24/2017	1647		TEXT ORDER –This matter is before the court on the Seal Teams October 23, 2017 Report regarding various documents which can be unsealed. In light of that Report, the Clerk of the Court is directed to unseal the following documents: Provider Plaintiffs Response in Opposition to BCBSMIs Motion

			to Compel, and Exhibit 1 <u>1614</u> [1614-1]; Subscriber Plaintiffs Unredacted Motion For Reconsideration of October 28, 2016 Order and Discovery Order No. 33, and Exhibits A and E <u>1611</u> [1611-1] [1611-2]; and Subscriber Plaintiffs Motion to Compel Defendant BCBSAL to Produce Identifying Data, and Exhibits A-E and I <u>1612</u> [1612-1] [1612-2] [1612-3] [1612-4] [1612-5] [1612-9].. Signed by Judge R David Proctor on 10/24/2017. (KAM) (Entered: 10/24/2017)
10/24/2017	<u>1648</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1635</u> Opposition (other), <u>1610</u> MOTION for Reconsideration re <u>815</u> Order <i>Subscriber Plaintiffs' Motion for Reconsideration of Oct 28, 16 Order and Discovery Order No. 33</i> filed by Plaintiffs' Counsel. (Ragsdale, Barry) (Entered: 10/24/2017)
10/24/2017	<u>1649</u>		***Document Sealed *** SUBSCRIBER PLAINTIFFS' Unredacted Reply in Support of their motion for reconsideration of 10/28/2016 Order and Discovery Order No. 33 (KAM) (Entered: 10/24/2017)
10/24/2017	<u>1650</u>		***Document Sealed*** SUBSCRIBER PLAINTIFFS' Reply Memorandum in support of motion to compel dft BCBSAL to produce identifying data (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (KAM) (Entered: 10/24/2017)
10/24/2017	<u>1651</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1615</u> MOTION to Compel <i>Attendance at a Deposition (Provider Plaintiffs')</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 10/24/2017)
10/25/2017	<u>1652</u>		ORDER re: Joint Status Report and chronologies submitted in camera; Telephone Conference set for 11/13/2017 10:00 AM before Judge R David Proctor.Counsel for Anthem and Cigna, and no more than two attorneys for the Association shall attend the conference; To preserve confidentiality on this issue, the court requests that the Special Master distribute a call-in number to participating counsel only. Signed by Judge R David Proctor on 10/25/2017. (KAM) (Entered: 10/25/2017)
10/26/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference and Motion Hearing held on 10/26/2017; re Motions 1463, 1610, 1612, 1615 and Privilege Logs (doc 1624). (Court Reporter Teresa Roberson) (ASL) (Entered: 10/26/2017)
10/26/2017	<u>1653</u>		MOTION to Seal Document <i>Motion to Maintain Seal as to Exhibit Contained in Subscriber Plaintiffs' Notice of Filing Document Under Seal</i> by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 10/26/2017)
10/27/2017	1654		TEXT ORDER —This matter is before the court on BCBSAL's Motion to Maintain Seal. <u>1653</u> The Clerk of the Court is directed to terminate the Motion. <u>1653</u> The parties may respond, and the court will expect the Seal Team's report in due course. Signed by Judge R David Proctor on 10/27/2017. (KAM) (Entered: 10/27/2017)
10/27/2017	<u>1655</u>		DISCOVERY ORDER No. 72 granting <u>1615</u> Motion to Compel ; The parties are further ORDERED to schedule a deposition to be held by November 15, 2017, at a time and place reasonably convenient to Abbott. Nonparty witness

		Robert Abbott is hereby ORDERED to comply with the subpoena served upon him and to appear and testify as required by law by not later than November 15, 2017. Signed by Magistrate Judge T Michael Putnam on 10/27/2017. (KAM) (Entered: 10/27/2017)
10/27/2017	<u>1656</u>	DISCOVERY ORDER No. 73. Signed by Magistrate Judge T Michael Putnam on 10/27/2017. (KAM,) (Entered: 10/27/2017)
10/30/2017	<u>1657</u>	Transcript of Proceedings held on 10/26/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/20/2017. Redacted Transcript Deadline set for 11/30/2017. Release of Transcript Restriction set for 1/28/2018. (Attachments: # <u>1</u> certification) (KAM,) (Entered: 10/30/2017)
10/30/2017	<u>1658</u>	MOTION to Enforce This Court's Previous Directive by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 10/30/2017)
10/31/2017	<u>1659</u>	DISCOVERY ORDER No. 74 granting <u>1612</u> Subscriber Plaintiffs' Motion to Compel Dft BCBSAL to produce identifying data; Subscribers and BCBSAL have agreed on the production of an explanation of or a decipher of the Coverage Code Data, BCBSAL is ORDERED to produce such explanation or decipher as soon as possible. Within seven (7) days of receipt of said explanation or decipher, the plaintiffs are ORDERED to inform BCBSAL whether the explanation or decipher resolves the issue, and if the explanation or decipher fails to resolve the issue, to Meet and Confer with BCBSAL; If the Meet & Confer confirms that the data cannot be feasibly exported or produced, the plaintiff is DIRECTED to file a status report suggesting feasible ways the data may be produced.. Signed by Magistrate Judge T Michael Putnam on 10/31/2017. (KAM,) (Entered: 10/31/2017)
10/31/2017	<u>1660</u>	NOTICE of Appearance by Brian Justin Kapatkin on behalf of Defendants' Counsel (Kapatkin, Brian) (Entered: 10/31/2017)
10/31/2017	<u>1661</u>	MOTION to Compel <i>Production of BCBS-AL's Statements in Connection with the Consent Order [REDACTED]</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ragsdale, Barry) (Entered: 10/31/2017)
10/31/2017	<u>1662</u>	STATUS REPORT <i>Justification to Maintain Redactions Contained in Subscriber Plaintiffs' Reply in Support of their Motion for Reconsideration</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Attachments: # <u>1</u> Exhibit Clawback Letter)(Burkhalter, Carl) (Entered: 10/31/2017)
10/31/2017	<u>1663</u>	SEALED MOTION ***SUBSCRIBER PLAINTIFFS' Motion to Compel Production of BCBS-AL's Statements in Connection with the Consent Order. (Attachments: # <u>1</u> Exhibit B)(KAM) (Entered: 10/31/2017)

10/31/2017	<u>1664</u>		STATUS REPORT <i>Justifications to Maintain Seal on Subscriber Plaintiffs' Reply Memorandum</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 10/31/2017)
11/01/2017	<u>1665</u>		DISCOVERY ORDER No. 75 granting <u>1463</u> Defendants' Sealed Motion to compel; Provider Plaintiffs are ORDERED to supplement their answers to the discrete subparts of Interrogatory No. 1 concerning RFAs Nos. 1 through 5, providing any unique facts and evidence that each Provider may possess that explain how the rules covered by RFA Nos. 1 through 5 affected any defendants conduct.2 If a Provider does not possess such unique facts and evidence beyond the general response supplied for all Providers, that Provider is ORDERED to admit the lack of such unique fact or evidence. Signed by Magistrate Judge T Michael Putnam on 10/31/2017. (KAM) (Entered: 11/01/2017)
11/01/2017	1666		TEXT ORDER —This matter is before the court on Plaintiffs' Motion to Enforce this Court's Previous Directive. (Doc. # 1658). Anthem SHALL respond to Plaintiffs' Motion on or before 3:00 p.m. Central Time on Thursday, November 2, 2017 . This issue is SET for a telephone conference at 10:00 a.m. Central Time on Friday, November 3, 2017 . Representative counsel for Anthem and Plaintiffs, SHALL attend the telephone conference. To preserve confidentiality on this issue, the court requests that the Special Master distribute a call-in number to participating counsel only. Signed by Judge R David Proctor on 11/1/2017. (KAM) (Entered: 11/01/2017)
11/01/2017	<u>1667</u>		<u>DISCOVERY ORDER No. 76</u> , Protocols for Handling Privileged Documents, Signed by Magistrate Judge T Michael Putnam on 11/1/17. (SAC) (Entered: 11/01/2017)
11/01/2017	<u>1668</u>		RESPONSE to Motion re <u>1658</u> MOTION to Enforce This Court's Previous Directive filed by Anthem, Inc.. (Kimble, Cavender) (Entered: 11/01/2017)
11/03/2017			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 11/3/2017. (KLL) (Entered: 11/03/2017)
11/03/2017	<u>1669</u>		STATUS REPORT <i>on Outstanding Structured Data (Subscriber Plaintiffs)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 11/03/2017)
11/03/2017	<u>1670</u>		MOTION to Compel <i>Production of BCBS–AL's Documents About Out–of–State Sales of Insurance Services</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Ragsdale, Barry) (Entered: 11/03/2017)
11/03/2017	<u>1671</u>		ORDER: re <u>1658</u> Plaintiffs Motion to Enforce this Court's Previous Directive is GRANTED . By agreement, Anthem will prepare from its proposed chronology a new document, in the nature of a privilege log, reflecting a chronology of mediation–related disclosures. The log should indicate the date of the mediation–related disclosure, the type of communication, and identify the persons involved. Anthem SHALL file this document, under seal, on or before 12:00 noon on Tuesday, November 7, 2017. Signed by Judge R David Proctor on 11/3/17. (SAC) (Entered: 11/03/2017)
11/03/2017	<u>1672</u>		

			SEALED MOTION **SUBSCRIBER PLAINTIFFS** Motion to Compel Production of BCBS–AL's Documents about out–of–state sales of insurance services (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(KAM) (Entered: 11/06/2017)
11/06/2017	<u>1673</u>		NOTICE by Plaintiffs' Counsel of <i>Provider Plaintiffs' Response to Randall Abbott's Letter Motion of November 3, 2017</i> (Attachments: # <u>1</u> Exhibit A)(Quillen, Henry) (Entered: 11/06/2017)
11/06/2017	<u>1674</u>		ORDER Special Status Conference set for 11/16/2017 02:00 PM before Magistrate Judge T Michael Putnam.. Signed by Magistrate Judge T Michael Putnam on 11/6/2017. (KAM,) (Entered: 11/06/2017)
11/06/2017	<u>1675</u>		***Document Sealed – ANTHEM's Notice in compliance with the 11/3/2017 Order (Attachments: # <u>1</u> Anthem Chronology for MDL plaintiffs) (KAM,) (Entered: 11/06/2017)
11/07/2017	<u>1676</u>		MOTION to Compel <i>Subscriber Plaintiffs' Omnibus Motion to Compel Remaining Filed Rate Discovery</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Ragsdale, Barry) (Entered: 11/07/2017)
11/07/2017	1677		TEXT ORDER re <u>1676</u> Subscriber Plaintiffs' Omnibus Motion to Compel Remaining Filed Rate Discovery. Any response is due no later than November 10, 2017. Movant's reply, if any, is due no later than November 14, 2017. The Motion is set to be heard on November 16, 2017, at the Special Status Conference. Signed by Magistrate Judge T Michael Putnam on November 7, 2017. (JTS) (Entered: 11/07/2017)
11/07/2017	<u>1678</u>		SEALED MOTION ** SUBSCRIBER PLAINTIFFS** Omnibus Motion To Compel Remaining Filed Rate Discovery. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit C)(KAM) (Entered: 11/08/2017)
11/08/2017	1679		TEXT ORDER –This matter is before the court on Plaintiffs Motion to Compel Production of BCBS–ALs Statements in Connection with the Consent Order. (Docs. # 1661 (redacted) and 1663 (sealed)). BCBS–AL's response is due no later than 12:00 noon on Monday, November 13, 2017 . Any reply is due no later than 12:00 noon on November 15, 2017 . Signed by Judge R David Proctor on 11/8/2017. (KAM) (Entered: 11/08/2017)
11/08/2017	<u>1680</u>		NOTICE by Defendants' Counsel <i>Regarding Remaining Third–Party Depositions</i> (Cottrell, Christa) (Entered: 11/08/2017)
11/08/2017	<u>1681</u>		MOTION to Compel <i>Third Party AvMed, Inc.</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Cottrell, Christa) (Entered: 11/08/2017)
11/08/2017	<u>1682</u>		NOTICE by Defendants' Counsel <i>Certification Pursuant To Discovery Order No. 76 On Behalf Of Capital BlueCross</i> (Spotswood, Robert) (Entered: 11/08/2017)
11/08/2017	<u>1683</u>		NOTICE by Defendants' Counsel re <u>1667</u> <i>Order Certification of Compliance with Discovery Order No. 76</i> (Donnell, Sarah) (Entered: 11/08/2017)
11/08/2017	<u>1684</u>		NOTICE by Blue Cross Blue Shield Michigan of <i>Personal Certification regarding BCBS Michigan's Privilege Log</i> (Campbell, Andrew) (Entered: 11/08/2017)

			11/08/2017)
11/08/2017	<u>1685</u>		NOTICE by Defendants' Counsel <i>Certification Pursuant To Discovery Order No. 76 On Behalf Of Independence Hospital Indemnity Plan, Inc.</i> (Oppenheimer, Brooke) (Entered: 11/08/2017)
11/08/2017	<u>1686</u>		NOTICE by Blue Shield of California <i>Certification of Blue Shield of California's Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Fronk, Casey) (Entered: 11/08/2017)
11/08/2017	<u>1687</u>		NOTICE by Anthem, Inc. <i>Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1688</u>		NOTICE by Defendants' Counsel <i>Blue Cross Blue Shield of Florida Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1689</u>		NOTICE by Defendants' Counsel <i>Blue Cross and Blue Shield of Louisiana Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1690</u>		Evidentiary Material <i>Certification of CareFirst, Inc.'s, Group Hospitalization and Medical Services, Inc.'s, CareFirst of Maryland, Inc.'s, and CareFirst BlueChoice, Inc.'s Privilege Logs in Response to Discovery Order No. 76.</i> (Norman, Brian) (Entered: 11/08/2017)
11/08/2017	<u>1691</u>		NOTICE by Defendants' Counsel <i>Blue Cross Blue Shield of Massachusetts Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1692</u>		NOTICE by Defendants' Counsel <i>Blue Cross and Blue Shield of Minnesota Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1693</u>		NOTICE by Defendants' Counsel <i>Blue Cross Blue Shield of Mississippi Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1694</u>		NOTICE by Defendants' Counsel <i>BlueCross BlueShield of North Carolina Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1695</u>		NOTICE by Defendants' Counsel <i>Blue Cross & Blue Shield of Rhode Island Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1696</u>		NOTICE by Defendants' Counsel <i>BlueCross BlueShield of South Carolina Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1697</u>		NOTICE by Defendants' Counsel <i>BlueCross BlueShield of Tennessee Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1698</u>		NOTICE by Defendants' Counsel <i>Blue Cross and Blue Shield of Vermont Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)

11/08/2017	<u>1699</u>		NOTICE by Defendants' Counsel <i>Cambia Health Solutions Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1700</u>		NOTICE by Defendants' Counsel <i>Hawaii Medical Service Association Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1701</u>		NOTICE by Defendants' Counsel <i>Horizon Blue Cross Blue Shield of New Jersey Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1702</u>		NOTICE by Defendants' Counsel <i>Wellmark Blue Cross and Blue Shield Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1703</u>		NOTICE by Triple-S Salud, Inc. <i>Certification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Cohen, Lucile) (Entered: 11/08/2017)
11/08/2017	<u>1704</u>		NOTICE by Blue Cross and Blue Shield of Alabama <i>Certification Pursuant to Discovery Order No. 76</i> (Malatesta, John) (Entered: 11/08/2017)
11/08/2017	<u>1705</u>		NOTICE by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield <i>NOTICE by Excellus BlueCertification of Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Clark, Anna) (Entered: 11/08/2017)
11/08/2017	<u>1706</u>		NOTICE by Premiera Blue Cross <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER NO. 76</i> (Payton, Gwendolyn) (Entered: 11/08/2017)
11/08/2017	<u>1707</u>		NOTICE by Defendants' Counsel <i>USAbles Certification Pursuant to Discovery Order No. 76</i> (Naranjo, Michael) (Entered: 11/08/2017)
11/08/2017	<u>1708</u>		NOTICE by Highmark BCBS Inc., Highmark Inc., Highmark West Virginia Inc. <i>Certification Regarding Cumulative Privilege Log Pursuant to Discovery Order No. 76</i> (Hogewood, Mark) (Entered: 11/08/2017)
11/08/2017	<u>1709</u>		NOTICE by Defendants' Counsel of <i>Blue Cross Blue Shield of Arizona's Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1710</u>		NOTICE by Defendants' Counsel of <i>Blue Cross and Blue Shield of Kansas, Inc.'s Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1711</u>		NOTICE by Defendants' Counsel of <i>Blue Cross and Blue Shield of Kansas City's Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1712</u>		NOTICE by Defendants' Counsel of <i>Blue Cross of Idaho Health Service, Inc.'s Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1713</u>		NOTICE by Defendants' Counsel of <i>Blue Cross and Blue Shield of Nebraska's Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1714</u>		

		NOTICE by Defendants' Counsel of <i>HealthNow New York Inc.'s Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1715</u>	NOTICE by Defendants' Counsel of <i>Noridian Mutual Insurance Company's Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1716</u>	NOTICE by Defendants' Counsel of <i>Blue Cross Blue Shield of Wyoming's Certification of Consolidated Privilege Log Pursuant to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 11/08/2017)
11/08/2017	<u>1717</u>	NOTICE by Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc., Health Care Service Corporation <i>Certification of Privilege Review Pursuant to Discovery Order No. 76</i> (Hogewood, Mark) (Entered: 11/08/2017)
11/09/2017	1718	TEXT ORDER amending 1677 Order. A response to <u>1676</u> & <u>1678</u> Subscriber Plaintiffs' Omnibus Motion to Compel Remaining Filed Rate Discovery is due no later than Monday, November 13, 2017, at 12:00 p.m. A reply, if any, is due no later than Wednesday, November 15, 2017, at 4:00 p.m. Signed by Magistrate Judge T Michael Putnam on November 9, 2017. (JTS) (Entered: 11/09/2017)
11/09/2017		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 11/9/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 11/09/2017)
11/09/2017	1719	TEXT ORDER re <u>1680</u> Defendants' Notice Regarding Remaining Third-Party Depositions. A response is due no later than November 14, 2017, at 12:00 p.m. A reply, if any, is due no later than November 16, 2017, at 12:00 p.m. The issue is set for argument on November 16, 2017, at 2:00 P.M. in Courtroom 3B of the Hugo L. Black US Courthouse, Birmingham, Alabama, before the undersigned, as set by the Order dated November 6, 2017 (doc. <u>1674</u>). Signed by Magistrate Judge T Michael Putnam on November 9, 2017. (JTS) (Entered: 11/09/2017)
11/09/2017	<u>1720</u>	ORDER Setting Hearing on Motion <u>1681</u> MOTION to Compel <i>Third Party AvMed, Inc.</i> Motion Hearing set for Thursday, 11/30/2017 at 01:00 PM in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T. Michael Putnam. Signed by Magistrate Judge T Michael Putnam on 11/9/2017. (ASL) Modified on 11/13/2017 (ASL). (Entered: 11/09/2017)
11/09/2017	<u>1721</u>	ORDER re <u>1669</u> Status Report; response is due no later than 11/21/17; reply, if any, is due no later than 11/28/17; court will hear argument regarding the issue on 11/30/17 at 1:00 PM in Courtroom 3B. Signed by Magistrate Judge T Michael Putnam on 11/9/2017. (ASL) (Entered: 11/09/2017)
11/10/2017	<u>1722</u>	STATUS REPORT <i>BCBSAL's Justifications to Maintain Seal on Subscriber Plaintiffs' Motion to Compel and Exhibit</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 11/10/2017)
11/10/2017	<u>1723</u>	

			MOTION to Quash <i>Subpoenas to Alabama Department of Insurance</i> by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Burkhalter, Carl) (Entered: 11/10/2017)
11/13/2017			Set/Reset Hearings (see order <u>1720</u>): Motion Hearing <u>1681</u> set for Thursday, 11/30/2017 at 01:00 PM in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. (ASL) (Entered: 11/13/2017)
11/13/2017			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 11/13/2017. (Court Reporter Leah Turner.) (KLL) (Entered: 11/13/2017)
11/13/2017	<u>1724</u>		Opposition to <i>Subscriber Plaintiffs' Motion to Compel Production of BCBSAL's Statement in Connection with Consent Order</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 11/13/2017)
11/13/2017	<u>1725</u>		Opposition to <i>Subscriber Plaintiffs' Omnibus Motion to Compel Remaining Filed Rate Discovery</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 11/13/2017)
11/13/2017	1726		TEXT ORDER finding as moot <u>1670</u> and <u>1672</u> Subscriber Plaintiffs' Motion to Compel Production of BCBS-AL's Documents About Out-of-State Sales of Insurance Services, per the agreement of the parties. Signed by Magistrate Judge T Michael Putnam on November 13, 2017. (JTS) (Entered: 11/13/2017)
11/13/2017	<u>1727</u>		DISCOVERY ORDER No 77 – denying <u>1610</u> Motion for Reconsideration. Signed by Magistrate Judge T Michael Putnam on 11/13/2017. (KAM) (Entered: 11/13/2017)
11/13/2017	<u>1728</u>		ORDER APPOINTING SEAL MASTER – the Court appoints R. Bernard Harwood, Jr to serve as a Seal Master in this action with regard to seal-related issues. Signed by Judge R David Proctor on 11/13/2017. (KAM) (Entered: 11/13/2017)
11/13/2017	<u>1729</u>		Transcript of Proceedings held on 11/9/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/4/2017. Redacted Transcript Deadline set for 12/14/2017. Release of Transcript Restriction set for 2/11/2018. (Attachments: # <u>1</u> Certification page) (KAM,) (Entered: 11/13/2017)
11/14/2017	<u>1730</u>		RESPONSE to re <u>1680</u> <i>Defendants' Notice Regarding Remaining Third-Party Depositions (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Brown, W) (Entered: 11/14/2017)

11/14/2017	<u>1731</u>		RESPONSE to re <u>1680</u> <i>Subscriber Plaintiffs' Response Regarding Remaining Depositions</i> filed by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 11/14/2017)
11/14/2017	<u>1732</u>		STATUS REPORT <i>BCBSAL's Justifications to Maintain Seal on Exhibit Contained in Subscriber Plaintiffs' Omnibus Motion to Compel Remaining Filed Rate Discovery</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 11/14/2017)
11/14/2017	<u>1733</u>		SEALED MOTION to COMPEL the production of documents from non-party provider Cahaba Medical Care by Blue Cross Blue Shield Michigan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(KAM,) (Entered: 11/15/2017)
11/15/2017	<u>1734</u>		SEALED Transcript of Proceedings held on 11/13/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/6/2017. Redacted Transcript Deadline set for 12/16/2017. Release of Transcript Restriction set for 2/13/2018. (KAM,) (Entered: 11/15/2017)
11/15/2017	<u>1735</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1661</u> MOTION to Compel <i>Production of BCBS-AL's Statements in Connection with the Consent Order [REDACTED]</i> REDACTED filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 11/15/2017)
11/15/2017	<u>1736</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>1676</u> MOTION to Compel <i>Subscriber Plaintiffs' Omnibus Motion to Compel Remaining Filed Rate Discovery</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 11/15/2017)
11/15/2017	<u>1737</u>		***Document Sealed **SUBSCRIBER PLANTIFFS** unredacted version of the Reply in Support of Their Omnibus Motion to Compel (KAM) (Entered: 11/15/2017)
11/15/2017	<u>1738</u>		***Document Sealed ** SUBSCRIBER PLAINTIFFS** Unredacted version of their Reply is Support of their Motion to Compel Production of BCBS-AL's Statements in Connection with the Consent Order. (KAM) (Entered: 11/15/2017)
11/15/2017	<u>1739</u>		STATUS REPORT <i>on Outstanding Structured Data (Subscriber Plaintiffs)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 11/15/2017)
11/15/2017	<u>1740</u>		MOTION to Compel <i>Baycare Health System Inc.</i> by Blue Cross Blue Shield Michigan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit

			3)(Campbell, Andrew) (Entered: 11/15/2017)
11/15/2017	<u>1741</u>		MOTION for Reconsideration re <u>1667</u> Order (<i>Discovery Order No. 76</i>) by Defendants' Counsel. (Sooy, Kathleen) Modified on 11/27/2017 (KAM,). (Entered: 11/15/2017)
11/15/2017	<u>1742</u>		MOTION for Extension of Time <i>to File a Rule 72 Objection, or Alternatively, to Treat Their Motion for Reconsideration as a Rule 72 Objection</i> by Defendants' Counsel. (Sooy, Kathleen) (Entered: 11/15/2017)
11/16/2017	<u>1743</u>		REPLY to re <u>1680</u> Defendants' Reply Regarding Third-Party Depositions filed by Defendants' Counsel. (Cottrell, Christa) (Entered: 11/16/2017)
11/16/2017	<u>1744</u>		REPLY to re <u>1680</u> Defendants' Corrected Reply Regarding Third-Party Depositions filed by Defendants' Counsel. (Cottrell, Christa) (Entered: 11/16/2017)
11/16/2017	<u>1745</u>		RESPONSE in Opposition re <u>1742</u> MOTION for Extension of Time <i>to File a Rule 72 Objection, or Alternatively, to Treat Their Motion for Reconsideration as a Rule 72 Objection (Joint)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Brown, W) (Entered: 11/16/2017)
11/16/2017	<u>1746</u>		***Document Sealed – SUBSCRIBER PLAINTIFFS' Status Report regarding newly produced document relating to Anthem's chronology (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (KAM,) (Entered: 11/16/2017)
11/16/2017	<u>1747</u>		SEALED MOTION to Compel the production of certain documents from the Non-Party Provider Healthcare Authority of the City of Huntsville by Blue Cross Blue Shield Michigan. (KAM,) (Additional attachment(s) added on 11/16/2017: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7) (KAM,). (Entered: 11/16/2017)
11/16/2017	<u>1748</u>		STATUS REPORT <i>Regarding Sampling Process</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 11/16/2017)
11/16/2017	<u>1749</u>		NOTICE of Appearance by Jeffrey John Fowler on behalf of Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc., Health Care Service Corporation (Fowler, Jeffrey) (Entered: 11/16/2017)
11/16/2017	<u>1750</u>		SEALED MOTION **PROVIDER PLAINTIFFS** Motion to Compel Blue Cross and Blue Shield of Alabama to comply with its Rule 30(B)(6) obligations. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(KAM) (Entered: 11/16/2017)
11/16/2017	<u>1751</u>		SEALED MOTION ** PROVIDER PLAINTIFFS** Motion to Compel Blue Corss and Blure Shield of Alabama to produce Truven, Thompson Reuters and Milliman Data. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(KAM) (Entered: 11/16/2017)
11/16/2017	<u>1752</u>		MOTION to Compel <i>Blue Cross and Blue Shield of Alabama to Comply With Its Rule 30(b)(6) Obligations (Redacted) (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Whatley, Joe) (Entered: 11/16/2017)

11/16/2017	<u>1753</u>		MOTION to Compel <i>Blue Cross and Blue Shield of Alabama to Produce Truven, Thompson Reuters, and Milliman Data (Redacted) (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Whatley, Joe) (Entered: 11/16/2017)
11/16/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam and Judge R. David Proctor: Status Conference and Motion Hearing held on 11/16/2017. (Court Reporter Christina Decker) (ASL) (Entered: 11/16/2017)
11/17/2017	<u>1754</u>		RESPONSE to re <u>1746</u> / <i>Defendant Anthem Inc.'s Response to the Subscriber Plaintiffs' Status Report Regarding Newly Produced Document Relating to Anthem's Chronology</i> filed by Anthem, Inc.. (Kurtz, Glenn) (Entered: 11/17/2017)
11/17/2017	1755		TEXT ORDER re <u>1733</u> BCBS–MI's Motion to Compel the Production of Documents from Non–Party Provider Cahaba Medical Care, <u>1740</u> Defendants' Motion to Compel Baycare Health System, Inc., and <u>1747</u> BCBS–MI's Motion to Compel the Production of Certain Documents from Non–Party Provider Healthcare Authority of the City of Huntsville. Any responses to the motions are due no later than November 22, 2017, at 5:00 p.m. CST. Replies, if any, are due no later than November 29, 2017, at 12:00 p.m. CST. Signed by Magistrate Judge T Michael Putnam on November 17, 2017. (JTS) (Entered: 11/17/2017)
11/17/2017	1756		TEXT ORDER re <u>1751</u> <u>1753</u> Provider Plaintiffs' Motion to Compel BCBS–AL to Produce Truven, Thompson Reuters, and Milliman Data and <u>1750</u> <u>1752</u> Motion to Compel BCBS–AL to Comply With its Rule 30(b)(6) Obligations. Any responses to the motions are due November 28, 2017, at 12:00 p.m. CST. Pursuant to the Discovery Status Conference held on November 17, 2017, no replies will be filed. Signed by Magistrate Judge T Michael Putnam on November 17, 2017. (JTS) (Entered: 11/17/2017)
11/17/2017	1757		TEXT ORDER re <u>1739</u> Subscriber Plaintiffs' Updated Status Report on Outstanding Structured Data. To the extent the Subscriber Plaintiffs wish to file any motions regarding any outstanding structure data issues, the motions may be filed no later than November 22, 2017, per the discussions of the Status Conference held on November 16, 2017. If a motion is filed, any response is due no later than November 29, 2017, at 12:00 p.m. CST. No replies will be filed. Signed by Magistrate Judge T Michael Putnam on November 17, 2017. (JTS) (Entered: 11/17/2017)
11/17/2017	<u>1758</u>		ORDER re <u>1741</u> MOTION for Reconsideration re <u>1667</u> Order (<i>Discovery Order No. 76</i>) filed by Defendants' Counsel, and <u>1742</u> MOTION for Extension of Time to File a Rule 72 Objection, or Alternatively, to Treat Their Motion for Reconsideration as a Rule 72 Objection filed by Defendants' Counsel. The Motion for Extension of Time to File Rule 72 Objection (doc. 1742) is DENIED IN PART and GRANTED IN PART. To the extent the Motion requests an extension of time to file a Rule 72 objection, the Motion is DENIED. To the extent the Motion requests the Motion to Reconsider Discovery Order No. 76 (doc. 1741) be treated as a Rule 72 objection, the Motion is GRANTED. Signed by Magistrate Judge T Michael Putnam on 11/17/2017. (JLC) (Entered: 11/17/2017)

11/17/2017	<u>1759</u>		MOTION for Protective Order <i>Regarding Deposition of Michael Velezis</i> by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 11/17/2017)
11/17/2017	1760		TEXT ORDER re <u>1759</u> BCBS-AL's Motion for Protective Order Regarding Deposition of Michael Velezis. Any response to the motion is due no later than November 22, 2017, at 5:00 p.m. CST. A reply, if any, is due no later than November 29, 2017, at 12:00 p.m. CST. Signed by Magistrate Judge T Michael Putnam on November 17, 2017. (JTS) (Entered: 11/17/2017)
11/20/2017	1761		TEXT ORDER —This matter is before the court on BCBS-AL's Motion to Quash Subpoenas to the Alabama Department of Insurance. <u>1723</u> Any response to the Motion is due on or before November 22, 2017 at 5:00 p.m. CST . A reply, if any, is due on or before November 29, 2017 at 12:00 p.m. CST . Signed by Judge R David Proctor on 11/20/2017. (KAM) (Entered: 11/20/2017)
11/20/2017	<u>1762</u>		MOTION for Protective Order by Alabama Department of Insurance. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(McDonald, John) (Entered: 11/20/2017)
11/20/2017	<u>1763</u>		ORDER APPOINTING PRIVILEGE MASTER – Pursuant to Federal Rule of Civil Procedure 53, and with the agreement of the Parties, the court hereby APPOINTS R. Bernard Harwood, Jr., to serve as a Privilege Master in this action with regard to privilege log related issues. Signed by Judge R David Proctor on 11/20/2017. (KAM,) (Entered: 11/20/2017)
11/21/2017	1764		TEXT ORDER re <u>1674</u> Order dated November 6, 2017. The Status Conference set by Discovery Order No. 1 (doc. 229), which was previously scheduled for 1:00 p.m. on November 30, 2017, is RESET for 10:00 a.m. on November 30, 2017, in Courtroom 3B of the Hugo L. Black US Courthouse, Birmingham, Alabama, before the undersigned. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on November 21, 2017. (JTS) (Entered: 11/21/2017)
11/21/2017	<u>1765</u>		MOTION to Unseal Document <u>1734</u> Transcript,,, <i>Provider Plaintiffs' Motion to Unseal Transcript of November 13, 2017 Conference</i> by Plaintiffs' Counsel. (Brown, W) (Entered: 11/21/2017)
11/21/2017	<u>1766</u>		Transcript of Proceedings held on 11/16/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Christina Decker. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/12/2017. Redacted Transcript Deadline set for 12/22/2017. Release of Transcript Restriction set for 2/19/2018. (KAM) (Entered: 11/21/2017)
11/21/2017	<u>1767</u>		

		ORDER granting <u>1661</u> Motion to Compel; granting <u>1663</u> Sealed Motion. Signed by Judge R David Proctor on 11/21/2017. (KAM,) (Entered: 11/21/2017)
11/21/2017	<u>1768</u>	RESPONSE in Opposition re <u>1681</u> MOTION to Compel <i>Third Party AvMed, Inc.</i> filed by AvMed, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Treadwell, Raymond) (Entered: 11/21/2017)
11/21/2017	<u>1769</u>	RESPONSE to the Court's November 9, 2017 Order filed by VIVA Health Inc.. (Ezelle, Jay) (Entered: 11/21/2017)
11/21/2017	<u>1770</u>	MOTION Maintain Seal re <u>1733</u> SEALED MOTION <i>Third Party Provider Cahaba Medical Care's Motion to Maintain Seal on Defendant Blue Cross Blue Shield of Michigan's Motion to Compel the Production of Documents and Accompanying Exhibits</i> by Cahaba Medical Care. (Brown, W) (Entered: 11/21/2017)
11/21/2017	<u>1771</u>	NOTICE by Plaintiffs' Counsel <i>Notice of Joinder in Motion to Unseal Transcript of November 13, 2017 Conference</i> (Hellums, Christopher) (Entered: 11/21/2017)
11/21/2017	<u>1779</u>	***Document Sealed **Defendant BCBS of Michigan's MOTION TO COMPEL Avantgarde Aviation Inc (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (KAM,) Modified on 11/27/2017 (KAM,). (Entered: 11/22/2017)
11/22/2017	<u>1772</u>	RESPONSE in Opposition re <u>1723</u> MOTION to Quash <i>Subpoenas to Alabama Department of Insurance</i> , <u>1762</u> MOTION for Protective Order filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 11/22/2017)
11/22/2017	<u>1773</u>	RESPONSE in Opposition re <u>1740</u> MOTION to Compel <i>Baycare Health System Inc.</i> filed by Baycare Health System, Inc.. (White, James) (Entered: 11/22/2017)
11/22/2017	<u>1774</u>	RESPONSE in Opposition re <u>1759</u> MOTION for Protective Order <i>Regarding Deposition of Michael Velezis</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Ragsdale, Barry) (Entered: 11/22/2017)
11/22/2017	<u>1775</u>	MOTION to Compel <i>Defendants' Structured Data Production</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 11/22/2017)
11/22/2017	<u>1776</u>	STATUS REPORT <i>Subscriber Plaintiffs' Report On Outstanding Non-Party Structured Data</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 11/22/2017)
11/22/2017	<u>1777</u>	MOTION to Seal <i>Motion of Non-Party to Maintain Seal, And For Other Relief</i> by Health Care Authority of the City of Huntsville. (Kelly, Jeffrey) (Entered: 11/22/2017)
11/22/2017	<u>1778</u>	RESPONSE to Motion re <u>1747</u> SEALED MOTION <i>TO COMPEL</i> filed by Health Care Authority of the City of Huntsville. (Kelly, Jeffrey) (Entered: 11/22/2017)

11/22/2017	<u>1780</u>		***Document Sealed ** SUBSCRIBER PLAINTIFFS*** Exhibit A to Motion and Incorporated Memorandum to Compel Defendants' Structured Data Production <u>1775</u> (KAM,) (Entered: 11/22/2017)
11/22/2017	<u>1781</u>		RESPONSE in Opposition re <u>1733</u> SEALED MOTION <i>Third Party Provider Cahaba Medical Care's Response in Opposition to Defendant Blue Cross Blue Shield of Michigan's Motion to Compel the Production of Documents (Redacted)</i> filed by Cahaba Medical Care. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Brown, W) (Entered: 11/22/2017)
11/22/2017	<u>1782</u>		RESPONSE to Motion re <u>1747</u> SEALED MOTION <i>Provider Plaintiffs' Response to Defendant Blue Cross Blue Shield of Michigan's Motion to Compel the Production of Documents From Huntsville Hospital</i> filed by Plaintiffs' Counsel. (Brown, W) (Entered: 11/22/2017)
11/22/2017	<u>1783</u>		STATUS REPORT <i>Plaintiffs' and Defendants' Joint Status Report on Post–December 1, 2017 Depositions</i> by Defendants' Counsel. filed by Defendants' Counsel (West, Kimberly) (Entered: 11/22/2017)
11/22/2017	<u>1786</u>		***Document Sealed ** Third Party Provider Cahaba Medical Care's Response in Opposition to Defendant Blue Cross Blue Shield of Michigan's Motion to Compel Production of Documents (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (KAM) (Entered: 11/27/2017)
11/24/2017	<u>1784</u>		STATUS REPORT <i>Justifications to Maintain Seals on Certain Exhibits Contained in Provider Plaintiffs' Motion to Compel BCBSAL to Comply with its Rule 30(b)(6) Obligations</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 11/24/2017)
11/24/2017	<u>1785</u>		STATUS REPORT <i>Justifications to Maintain Redactions and Seals on Provider Plaintiffs' Motion to Compel BCBSAL to Produce Truven, Thompson Reuters, and Milliman Data and Accompanying Exhibits</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 11/24/2017)
11/27/2017	<u>1787</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from October 1, 2017 through October 31, 2017 in this matter as it relates to services rendered for both sides of the case, and totaling \$14,000.00. Signed by Judge R David Proctor on 11/27/2017. (KAM) (Entered: 11/27/2017)
11/27/2017	<u>1788</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENTfor services rendered and expenses incurred from October 1, 2017 through October 31, 2017 in this matter relating solely to services provided to the Plaintiffs, and totaling \$53,000.00. Signed by Judge R David Proctor on 11/27/2017. (KAM,) (Entered: 11/27/2017)
11/27/2017	1789		TEXT ORDER re <u>1779</u> Defendant BCBS–MI's Motion to Compel Avantgarde Aviation, Inc. Any response to the motion is due no later than December 1, 2017, at 5:00 p.m. CST. A reply, if any, is due no later than December 6, 2017, at 12:00 p.m. CST. Signed by Magistrate Judge T Michael Putnam on November 27, 2017. (JTS) (Entered: 11/27/2017)
11/27/2017	<u>1790</u>		

			MOTION for Protective Order <i>Regarding the Deposition of Community Health Systems (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Brown, W) (Entered: 11/27/2017)
11/28/2017	<u>1791</u>		Opposition to <i>Provider Plaintiffs' Motion to Compel BCBSAL to Produce Truven, Thompson Reuters, and Milliman Data</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Malatesta, John) (Entered: 11/28/2017)
11/28/2017	<u>1792</u>		REPLY to re <u>1681</u> <i>Motion to Compel Third Party AvMed, Inc.</i> filed by Defendants' Counsel. (Cottrell, Christa) (Entered: 11/28/2017)
11/28/2017	<u>1793</u>		***Document Sealed **BCBS of Alabama's Reply to Subscriber Plaintiffs' consolidated response regarding subpoenas to Alabama Department of Insurance (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 11/28/2017)
11/28/2017	<u>1794</u>		MOTION to Withdraw as Attorney by Plaintiffs' Counsel. (Schreiber, J) (Entered: 11/28/2017)
11/28/2017	<u>1795</u>		SEALED MOTION ** Subscriber Plaintiffs' Supplemental Motion to Compel Blue Cross and Blue Shield of Alabama to produce Truven Data. (Attachments: # <u>1</u> Exhibit 1)(KAM) (Entered: 11/28/2017)
11/28/2017	1796		TEXT ORDER – This matter is before the court on (a) Subscriber Plaintiffs' Consolidated Response Regarding Subpoenas to Alabama Department of Insurance <u>1772</u> and (b) BCBS–AL's Reply to Subscriber Plaintiffs' Consolidated Response Regarding Subpoenas to Alabama Department of Insurance. <u>1793</u> In light of those filings <u>1772</u> <u>1793</u> : (1) BCBS–AL's Motion to Quash Subpoenas to Alabama Department of Insurance <u>1723</u> and (2) the Alabama Department of Insurance's Motion to Quash Subpoenas or for Protective Order <u>1762</u> are MOOT. Signed by Judge R David Proctor on 11/28/2017. (KAM,) (Entered: 11/28/2017)
11/28/2017	1797		TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by attorney J. Allen Schreiber. <u>1794</u> The Motion <u>1794</u> is GRANTED. The Clerk of the Court is directed to terminate attorney Schreiber. Signed by Judge R David Proctor on 11/28/2017. (KAM,) (Entered: 11/28/2017)
11/29/2017	<u>1798</u>		RESPONSE to Motion re <u>1765</u> MOTION to Unseal Document <u>1734</u> Transcript,,, <i>Provider Plaintiffs' Motion to Unseal Transcript of November 13, 2017 Conference</i> filed by Anthem, Inc.. (Kurtz, Glenn) (Entered: 11/29/2017)
11/29/2017	<u>1799</u>		REPLY Brief filed by Defendant Blue Cross Blue Shield Michigan re: <u>1773</u> Response in Opposition to Motion, <u>1740</u> MOTION to Compel <i>Baycare Health System Inc.</i> filed by Blue Cross Blue Shield Michigan. (Campbell, Andrew) (Entered: 11/29/2017)
11/29/2017	<u>1800</u>		RESPONSE to re <u>1765</u> <i>Plaintiffs' Motion to Unseal Transcript of November 13, 2017 Conference</i> filed by Defendants' Counsel. (Laytin, Daniel) (Entered: 11/29/2017)
11/29/2017	<u>1801</u>		RESPONSE in Opposition re <u>1775</u> MOTION to Compel <i>Defendants' Structured Data Production</i> filed by Anthem, Inc.. (Hoover, Craig) (Entered: 11/29/2017)

11/29/2017	<u>1802</u>		RESPONSE to Motion re <u>1775</u> MOTION to Compel <i>Defendants' Structured Data Production</i> filed by Defendants' Counsel. (Norman, Brian) (Entered: 11/29/2017)
11/29/2017	<u>1803</u>		RESPONSE in Opposition re <u>1775</u> MOTION to Compel <i>Defendants' Structured Data Production</i> filed by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Clark, Anna) (Entered: 11/29/2017)
11/29/2017	<u>1804</u>		***Document Sealed ** Blue Cross Blue Shield of Michigan's REPLY in support of its Motion to Compel the production of documents from Non-Party Provider Cahaba Medical Care (KAM) (Entered: 11/29/2017)
11/29/2017	<u>1805</u>		***Document Sealed **Blue Cross Blue Shield of Michigan's Reply in support of its Motion to Compel the production of certain documents from non-party provider Healthcare Authority of the City of Huntsville (KAM) (Entered: 11/29/2017)
11/29/2017	<u>1806</u>		NOTICE by Plaintiffs' Counsel re <u>1775</u> MOTION to Compel <i>Defendants' Structured Data Production by Subscriber Plaintiffs</i> (Ragsdale, Barry) (Entered: 11/29/2017)
11/29/2017	<u>1807</u>		RESPONSE in Opposition re <u>1742</u> MOTION for Extension of Time <i>to File a Rule 72 Objection, or Alternatively, to Treat Their Motion for Reconsideration as a Rule 72 Objection</i> filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Hellums, Christopher) (Entered: 11/29/2017)
11/29/2017	<u>1808</u>		Opposition to re <u>1790</u> <i>Provider Plaintiffs' Motion for a Protective Order Barring the Deposition of Community Health Systems</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Sooy, Kathleen) (Entered: 11/29/2017)
11/29/2017	<u>1809</u>		***Document Sealed ** Subscriber & Provider Plaintiffs' Opposition to Defendants' Rule 72 Objection to discovery order 76 (Attachments: # <u>1</u> Exhibit A) (KAM,) (Entered: 11/29/2017)
11/30/2017	<u>1810</u>		SEALED MOTION **BCBS MICHIGAN's MOTION to Compel Subscriber Plaintiffs to supplement their responses to defendants' first set of discovery requests pursuant to Discovery Order No. 75 by Blue Cross Blue Shield Michigan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(KAM) (Entered: 11/30/2017)
11/30/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Status Conference held on 11/30/2017 and Motion Hearing held on 11/30/2017: re <u>1681</u> , <u>1733</u> , <u>1740</u> , <u>1747</u> , <u>1775</u> , <u>1790</u> ; argument by counsel; status updates; hrg adj (Court Reporter Sabrina Lewis) (ASL) (Entered: 11/30/2017)
11/30/2017	<u>1811</u>		MOTION for Protective Order <i>Regarding Plaintiffs' Non-Party Subpoena to Peter Kilmartin</i> by Peter Kilmartin. (Attachments: # <u>1</u> Exhibit A)(Plant, Adam) (Entered: 11/30/2017)
11/30/2017	1812		TEXT ORDER re <u>1669</u> Subscribers' Status Report on Outstanding Structured Data, which was construed as a motion as to United and Viva by <u>1721</u> Order dated November 9, 2017. The issue is MOOT, per the discussions of the parties at the Discovery Status Conference held on November 30, 2017. Signed by Magistrate Judge T Michael Putnam on November 30, 2017. (JTS)

			(Entered: 11/30/2017)
11/30/2017	<u>1813</u>		DISCOVERY ORDER NO. 78 denying <u>1790</u> Motion for Protective Order ; The deposition of Community Health is ORDERED to proceed on December 6, 2017, as scheduled. Signed by Magistrate Judge T Michael Putnam on 11/30/2017. (KAM) (Entered: 11/30/2017)
11/30/2017	<u>1814</u>		REPLY to re <u>1765</u> <i>Provider Plaintiffs' Reply In Support of Their Motion to Unseal Transcript of November 13, 2017 Conference</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 11/30/2017)
12/01/2017	<u>1815</u>		***Document Sealed **SUBSCRIBER PLAINTIFFS' Opposition to BCBS-MI's Motion to Compelo (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM,) (Entered: 12/01/2017)
12/01/2017	<u>1816</u>		SEALED MOTION **SUBSCRIBER AND PROVIDER PLAINTIFFS' Motion Challenging Assertion of Privilege Over Documents Produced by Defendants Anthem, Inc and Capital Bluecross. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(KAM) (Entered: 12/01/2017)
12/04/2017	<u>1817</u>		DISCOVERY ORDER No. 79: re <u>1681</u> Motion to Compel Third Party AvMed, Inc.– The motion is GRANTED as set out within. Signed by Magistrate Judge T Michael Putnam on 12/4/17. (SAC) Modified on 12/4/2017 (SAC). (Entered: 12/04/2017)
12/04/2017	<u>1818</u>		RESPONSE in Support re <u>1741</u> MOTION for Reconsideration re <u>1667</u> Order (<i>Discovery Order No. 76</i>) filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 12/04/2017)
12/04/2017	<u>1819</u>		JOINT PROTECTIVE ORDER: re <u>1811</u> Motion for Protective order is GRANTED as set out within. Signed by Magistrate Judge T Michael Putnam on 12/4/17. (SAC) (Entered: 12/04/2017)
12/04/2017	<u>1820</u>		DISCOVERY ORDER No. 80: – DENYING <u>1676</u> Motion to Compel. Documents required to be produced pursuant to this Order shall be produced by December 20, 2017. Signed by Magistrate Judge T Michael Putnam on 12/4/17. (SAC) (Entered: 12/04/2017)
12/05/2017	1821		TEXT ORDER –By agreement of the parties, BCBS–AL's Motion for Protective Order Regarding Deposition of Michael Velezis (Doc. # 1759) is MOOT .Signed by Judge R David Proctor on 12/5/2017. (KAM) (Entered: 12/05/2017)
12/05/2017	<u>1822</u>		ORDER pending before the court is <u>1816</u> SEALED MOTION Plaintiffs Motion Challenging Assertion of Privilege over Documents Produced by Defendants Anthem, Inc. and Capital Bluecross; any responses are due no later than Monday, December 11, 2017 at 5:00 p.m. CST; dfts may submit challenged documents for in camera review by email; any reply is due by Wednesday, December 13, 2017 at 12:00 p.m. CST; Motion is set for argument on 12/14/2017 03:00 PM during the weekly telephone conference before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on 12/5/2017. (KAM) (Entered: 12/05/2017)
12/05/2017	<u>1823</u>		***Document Sealed **BCBS of ALABAMA Response to Subscriber Plaintiffs' Supplemental Motion to Compel Truven Data (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 12/05/2017)

12/05/2017	<u>1824</u>		DISCOVERY ORDER NO. 81 granting <u>1747</u> Sealed Motion BCBS of Michigan's Motion to Compel the Production of certain documents from Non-Party Provider Healthcare Authority of the City of Huntsville; Huntsville is ORDERED to produce (1) redacted copies of its payer contracts from January 1, 2010, to December 31, 2015, containing exclusivity provisions sufficient to identify only the payer identity and the exclusivity provision contained in the contract and (2) documents from January 1, 2010, to December 31, 2015, sufficient to show the necessity for the exclusivity provisions but redacted to prevent disclosure of rates negotiated to acquire the exclusivity provisions. Defendant Blue Cross Blue Shield of Michigan's Motion to Compel the Production of Documents from Non-Party Provider Cahaba Medical Care <u>1733</u> is GRANTED, and Cahaba is ORDERED to produce its Medicaid, Medicare, and commercial payer rates from January 1, 2008, to December 31, 2013 Signed by Magistrate Judge T Michael Putnam on 12/5/2017. (KAM) Modified on 12/6/2017 (KAM,). (Entered: 12/05/2017)
12/05/2017	<u>1825</u>		STATUS REPORT <i>Subscriber Plaintiffs' Updated Report on Motion to Compel Defendants Blue Cross Blue Shield of Alabama to Produce Identifying Data</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Ragsdale, Barry) (Entered: 12/05/2017)
12/05/2017	<u>1826</u>		STATUS REPORT <i>Justifications to Maintain Seal on Exhibit 1 to Subscriber Plaintiffs' Supplemental Motion to Compel BCBSAL to Produce Truven Data</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 12/05/2017)
12/06/2017	<u>1827</u>		MOTION to Seal / <i>Maintain Seal on Defendant Blue Cross Blue Shield of Michigan's Reply in Support of Motion to Compel the Production of Documents and Accompanying Exhibits</i> by Cahaba Medical Care. (Brown, W) (Entered: 12/06/2017)
12/06/2017	<u>1828</u>		***Document Sealed **DEFENDANTS' Reply in support of its Motion to compel Avantgarde Aviation Inc (Attachments: # <u>1</u> EX 5) (KAM,) (Entered: 12/06/2017)
12/06/2017	<u>1829</u>		STATUS REPORT <i>on Late Production of Documents by Defendants</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 12/06/2017)
12/06/2017	<u>1830</u>		DISCOVERY ORDER No 82 – granting in part and denying in part <u>1740</u> Motion to Compel non-party medical provider, Baycare Health System, Inc., to produce documents response to a subpoena served on it by defendants on December 1, 2016, as well as produce a Rule 30(b)(6) witness for deposition testimony as further set out in this order. Signed by Magistrate Judge T Michael Putnam on 12/6/2017. (KAM) (Entered: 12/06/2017)
12/06/2017	<u>1831</u>		DISCOVERY ORDER No 83 granting <u>1775</u> Subscriber Plaintiffs' Motion to Compel Defendants Structured Data Production, specifically as it relates to Anthem ; Anthem is directed to certify medical, pharmacy and capitation claims data truly does not exist and why search for this data is impractical and unnecessary; Search again for the missing total claims expense data for BCBS of GA and BCBS Healthcare Plan of Georgia Inc in accordance with the instructions set forth in this order. Signed by Judge R David Proctor on

			12/6/2017. (KAM,) (Entered: 12/06/2017)
12/06/2017	<u>1832</u>		STATUS REPORT <i>Justification to Maintain Redaction and Seal on Plaintiffs' Opposition to Defendants' Rule 72 Objection to Discovery Order 76 and Accompanying Exhibit</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 12/06/2017)
12/07/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 12/7/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 12/07/2017)
12/08/2017	<u>1833</u>		Transcript of Proceedings held on November 30, 2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278–2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/29/2017. Redacted Transcript Deadline set for 1/8/2018. Release of Transcript Restriction set for 3/8/2018. (MRR,) (Entered: 12/08/2017)
12/08/2017	<u>1834</u>		Justifications for Keeping Sealed Plaintiffs' Motion Challenging Certain Clawback Requests of Inadvertently Produced Privileged Documents by Defendants' Counsel. filed by Defendants' Counsel (Donnell, Sarah) Modified on 12/11/2017 (JLC). (Entered: 12/08/2017)
12/11/2017	<u>1836</u>		***Document Sealed **DEFENDANTS*** Opposition to plaintiffs' motion challenging assertion of privilege over document produced by defendant Anthem, Inc (KAM) (Entered: 12/12/2017)
12/11/2017	<u>1837</u>		***Document Sealed **DEFENDANT Capital BlueCross's** RESPONSE to plaintiffs' motion challenging assertion of privilege (Attachments: # <u>1</u> Declaration) (KAM) (Entered: 12/12/2017)
12/12/2017	<u>1835</u>		DISCOVERY ORDER No. 84 granting in part and denying in part <u>1779</u> Motion to compel; the motion is GRANTED insofar as Avantgarde is ORDERED to provide certification as to its discovery responses to BCBS–MIs August 21, 2017, discovery requests. Otherwise, the Motion is DENIED; Documents responsive to Categories 2 4, 6, and 7 simply are not relevant to the prioritized Alabama Action, and documents responsive to Category 5 already have been produced; The court further DENIES BCBS–MIs request for an additional deposition. Signed by Magistrate Judge T Michael Putnam on 12/12/20107. (KAM) (Entered: 12/12/2017)
12/12/2017	<u>1838</u>		Transcript of Proceedings held on 12/7/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript

		<p>Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 1/2/2018. Redacted Transcript Deadline set for 1/12/2018. Release of Transcript Restriction set for 3/12/2018. (Attachments: # <u>1</u> certification) (KAM,) (Entered: 12/12/2017)</p>
12/12/2017	<u>1839</u>	<p>STATUS REPORT <i>Justifications to Maintain Seal on Its Response to Subscriber Plaintiffs' Supplemental Motion to Compel Truven Data and Accompanying Exhibit</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 12/12/2017)</p>
12/13/2017	<u>1840</u>	<p>***Document Sealed **PLAINTIFFS** Reply in support of Motion challenging assertion of privilege over documents produced by defendants Anthem, Inc and Capital Bluecross (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 part 1, # <u>3</u> Exhibit 2 part 2, # <u>4</u> Exhibit 2 part 3) (KAM) (Entered: 12/13/2017)</p>
12/13/2017	<u>1841</u>	<p>***Document Sealed ***PLAINTIFFS**** AMENDED Reply in support of Motion challenging assertion of privilege over documents produced by defendants Anthem, Inc and Capital BlueCross (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5 Part 1, # <u>6</u> Exhibit 5 Part 2, # <u>7</u> Exhibit 5 Part 3) (KAM) (Entered: 12/13/2017)</p>
12/13/2017	<u>1842</u>	<p>Brief re <u>1832</u> Status Report, . (Stokes, Tammy) (Entered: 12/13/2017)</p>
12/14/2017	1843	<p>TEXT ORDER finding as moot <u>1751</u> and <u>1753</u> Providers' Motion to Compel BCBS-AL to Produce Truven, Thompson Reuters, and Milliman Data, per the agreement of the parties at the weekly telephone conference. Signed by Magistrate Judge T Michael Putnam on December 14, 2017. (JTS) (Entered: 12/14/2017)</p>
12/14/2017	1844	<p>TEXT ORDER finding as moot <u>1795</u> Subscribers' Supplemental Motion to Compel BCBS-AL to Produce Truven Data, per the agreement of parties at the weekly telephone conference. Signed by Magistrate Judge T Michael Putnam on December 14, 2017. (JTS) (Entered: 12/14/2017)</p>
12/14/2017		<p>Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 12/14/2017. (Court Reporter Sabrina Lewis) (ASL) (Entered: 12/14/2017)</p>
12/15/2017	<u>1845</u>	<p>Transcript of Proceedings held on 12/7/2017, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at</p>

			http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf See Transcript Redaction Policy Redaction Request due 1/5/2018. Redacted Transcript Deadline set for 1/15/2018. Release of Transcript Restriction set for 3/15/2018. (Attachments: # <u>1</u> Certification) (KAM,) (Entered: 12/15/2017)
12/15/2017	<u>1846</u>		RESPONSE to <i>Defendants' Seal Justifications</i> filed by Plaintiffs' Counsel. (Stokes, Tammy) (Entered: 12/15/2017)
12/18/2017	<u>1847</u>		STATUS REPORT <i>Defendants' Justifications for Keeping Sealed Opposition and Reply Briefs Regarding Plaintiffs' Motion Challenging Privilege Assertions</i> by Defendants' Counsel. filed by Defendants' Counsel (Donnell, Sarah) (Entered: 12/18/2017)
12/18/2017	<u>1848</u>		AMENDMENT TO DISCOVERY ORDER No. 76. Signed by Magistrate Judge T Michael Putnam on 12/18/2017. (KAM) (Entered: 12/18/2017)
12/19/2017	<u>1849</u>		ORDER re <u>1816</u> SEALED MOTION Challenging Assertion of Privilege over Documents Produced by Defendants Anthem, Inc. and Capital Bluecross. The Court hereby ORDERS the following documents set out herein to be produced by Anthem and BCBSA for in camera review. The defendants may submit the documents for in camera review either by hand delivery or by overnight mail directly to Chambers, marked "Confidential, In Camera" by December 27, 2017. Signed by Magistrate Judge T Michael Putnam on 12/19/2017. (JLC,) (Entered: 12/19/2017)
12/20/2017	1850		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on January 11, 2018, at 1:00 p.m. in Courtroom 3B of the Hugo L. Black US Courthouse, Birmingham, Alabama, before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on December 20, 2017. (JTS) (Entered: 12/20/2017)
12/21/2017	<u>1851</u>		Transcript of Proceedings held on December 14, 2017, before Judge T. Michael Putnam and Judge R. David Proctor. Court Reporter/Transcriber Sabrina Lewis, Telephone number (205) 278-2065. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 1/11/2018. Redacted Transcript Deadline set for 1/21/2018. Release of Transcript Restriction set for 3/21/2018. (MRR,) (Entered: 12/21/2017)
12/21/2017			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 12/21/2017. (Court Reporter Teresa Roberson) (ASL) (Entered: 12/21/2017)
12/27/2017	<u>1852</u>		

		***Document Sealed ***BCBSA and ANTHEM's** Memorandum regarding their in camera submission of documents pursuant to the court's 12/19/2017 Order (KAM) (Entered: 12/28/2017)
01/03/2018	<u>1853</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 11/1/2017 through 11/30/2017 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,000.00. Signed by Judge R David Proctor on 1/3/2018. (KAM) (Entered: 01/03/2018)
01/03/2018	<u>1854</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 11/1/2017 through 11/30/2017 in this matter relating solely to services provided to the Plaintiffs, and totaling \$51,000.00. Signed by Judge R David Proctor on 1/3/2018. (KAM) (Entered: 01/03/2018)
01/04/2018	<u>1855</u>	STATUS REPORT <i>BCBSA & Anthem's Justifications for Keeping Sealed Their In Camera Submission of Documents and Accompanying Memorandum</i> by Defendants' Counsel. filed by Defendants' Counsel (Donnell, Sarah) (Entered: 01/04/2018)
01/09/2018	1856	TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) to be held on January 11, 2018, at 1:00 p.m. hereby is CANCELLED. Signed by Magistrate Judge T Michael Putnam on January 9, 2018. (JTS) (Entered: 01/09/2018)
01/11/2018	<u>1857</u>	ORDER REGARDING CERTAIN DEADLINES – The following deadlines from the courts Third Amended Scheduling Order <u>1567</u> are SUSPENDED :The January 15, 2018 deadline for filing Class Certification Motions; The deadline for Daubert motions seeking to exclude class certification expert witnesses; and the April 3, 2018 deadline for filing Dispositive Motions; The court relieves the parties of these deadlines because they have asked the court for the opportunity to explore the possibility of a resolution of this matter; if the court is informed by the Special Master that this opportunity is no longer proving fruitful, the court will promptly issue its decision on the appropriate standard of review, and will set a hearing to discuss an aggressive schedule for the first phase of this case, including class certification motions, Daubert motions, and dispositive motions.DONE and ORDERED this January 11, 2018.Signed by Judge R David Proctor on 1/11/2018. (KAM) (Entered: 01/11/2018)
01/11/2018	<u>1858</u>	***Document Sealed ** PLAINTIFFS' Response to BCBSA and Anthem's Memorandum regarding their in camera submission of documents pursuant to the Court's 12/19/2017 Order (Attachments: # <u>1</u> Exhibit 1) Exhibit 220, # <u>2</u> Exhibit 2) Exhibit 221, # <u>3</u> Exhibit 3) Exhibit 222, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5) Exhibit 44) (KAM) (Entered: 01/11/2018)
01/12/2018	<u>1859</u>	AMENDED ORDER REGARDING CERTAIN DEADLINES – The following deadlines from the courts Third Amended Scheduling Order <u>1567</u> are SUSPENDED:The January 15, 2018 deadline for filing Class Certification Motions; The January 31, 2018 deadline for Damages and Merits Expert Reports; The deadline for Daubert motions seeking to exclude class certification expert witnesses; and The April 3, 2018 deadline for filing Dispositive Motions; The court relieves the parties of these deadlines because

		they have asked the court for the opportunity to explore the possibility of a resolution of this matter. If the court is informed by the Special Master that this opportunity is no longer proving fruitful, the court will promptly issue its decision on the appropriate standard of review, and will set a hearing to discuss an aggressive schedule for the first phase of this case, including class certification motions, expert reports, Daubert motions, and dispositive motions. Signed by Judge R David Proctor on 1/12/2018. (KAM) (Entered: 01/12/2018)
01/17/2018	<u>1860</u>	ORDER Status Conference set for 1/25/2018 01:00 PM before Magistrate Judge T Michael Putnam. Per the request of the parties, during the January 25, 2018, In-Person Status Conference, the court will hear argument on a privilege dispute concerning production ordered by Discovery Order No. 80. Simultaneous briefing by the parties is to be completed no later than Monday, January 22, 2018, at 12:00 p.m. (Noon) CST. Signed by Magistrate Judge T Michael Putnam on 1/17/2018. (KAM) (Entered: 01/17/2018)
01/18/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 1/18/2018. (Court Reporter Teresa Roberson) (ASL) (Entered: 01/18/2018)
01/19/2018	<u>1861</u>	STATUS REPORT <i>BCBSA and Anthem's Justifications for Keeping Sealed Plaintiffs' Response to BCBSA and Anthem's In Camera Submission of Documents and Accompanying Memorandum</i> by Defendants' Counsel. filed by Defendants' Counsel (Donnell, Sarah) (Entered: 01/19/2018)
01/19/2018	<u>1862</u>	Transcript of Proceedings held on 1/19/2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/9/2018. Redacted Transcript Deadline set for 2/19/2018. Release of Transcript Restriction set for 4/19/2018. (Attachments: # <u>1</u> Cert page) (KAM,) (Entered: 01/19/2018)
01/22/2018	<u>1863</u>	Brief <i>BCBSA'S Memorandum Regarding Privileged Email Communications and Draft Refund Letters</i> . (Attachments: # <u>1</u> Exhibit A-F, # <u>2</u> Exhibit G)(Burkhalter, Carl) (Entered: 01/22/2018)
01/22/2018	<u>1864</u>	MOTION to Compel <i>Production of Filed Rate Discovery and Challenging Assertion of Privilege</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit Exhibit A (Filed Under Seal), # <u>2</u> Exhibit Exhibit B (Filed Under Seal))(Hellums, Christopher) (Entered: 01/22/2018)
01/22/2018	<u>1865</u>	SEALED MOTION **SUBSCRIBER AND PROVIDER PLAINTIFFS' Motion to Compel production of filed rate discovery and challenging assertion of privilege. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(KAM) (Entered: 01/22/2018)

01/22/2018	<u>1866</u>		TEXT ORDER finding as moot <u>1750</u> and <u>1752</u> Provider Plaintiffs' Motion to Compel BCBS-AL to Comply with its Rule 30(b)(6) Obligations, per the agreement of parties during the January 18, 2018, Weekly Telephone Conference. Signed by Magistrate Judge T Michael Putnam on January 22, 2018. (JTS) (Entered: 01/22/2018)
01/23/2018	<u>1867</u>		STATUS REPORT to Judge Putnam Regarding Redaction and Privilege Issues Related to Depositions of Terry Kellogg and Robin Stone by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 01/23/2018)
01/23/2018	<u>1868</u>		***Document Sealed **PLAINTIFFS' Status Report regarding redaction and privilege issues related to depositions of Terry Kellogg and Robin Stone (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (KAM) (Entered: 01/24/2018)
01/24/2018	<u>1869</u>		ORDER – SUPPLEMENT TO THE AMENDMENT TO DISCOVERY ORDER NO. 76 – Protocol for Privilege Reports and Recommendations; Judge Harwood shall file the Report and Recommendations onto the docket via the Electronic Case Filing system. To the extent a R&R quotes or refers in great detail to privileged material, Judge Harwood shall redact such material and file a redacted version of the RR Judge Harwood shall physically deliver a copy of the unredacted Report and Recommendation on a USB flash drive or other medium to Judge Cooglers courtroom deputy or career law clerk at the Tuscaloosa Federal Building and Courthouse, located at 2005 University Boulevard, Tuscaloosa, Alabama 35401; The name of the.PDF version of the unredacted R&R shall contain the document number of the filed redacted Report and Recommendation; The unredacted R&R will then be entered as a sealed attachment to the redacted R&R that only court personnel will be able to access; Contemporaneously with filing the redacted R&R, Judge Harwood shall securely transmit the unredacted R&R to the interested Blue Cross Blue Shield (BCBS) entity whose privileged matter is the subject of the RR Any objections to the R&R and responses to said objections shall be filed in accordance with the Amendment to Discovery Order No. 76 <u>1848</u> ; All other deadlines announced in the Amendment to Discovery Order No. 76 remain operative; to the extent the BCBS entities have not done so already, the BCBS entities are DIRECTED to individually (or by group if represented by the same counsel) contact Judge Harwood teams with information detailing how Judge Harwood should securely transmit the unredacted Report and Recommendation to each interested BCBS entity. Signed by Magistrate Judge T Michael Putnam on 1/24/2018. (KAM) (Entered: 01/24/2018)
01/25/2018	<u>1870</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER</i> . (Harwood, R) (Entered: 01/25/2018)
01/25/2018	<u>1871</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF WYOMING</i> . (Harwood, R) (Additional attachment(s) added on 1/25/2018: # <u>1</u> Exhibit Unredacted Copy) (PSM,). (Additional attachment(s) added on 1/31/2018: # <u>2</u> redacted order) (KAM,). (Entered: 01/25/2018)
01/25/2018	<u>1872</u>		

			Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA</i> . (Harwood, R) (Entered: 01/25/2018)
01/25/2018			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 1/25/2018; argument by counsel re MOTION doc <u>1864</u> ; hrg adj (Court Reporter Teresa Roberson) (ASL) (Entered: 01/25/2018)
01/26/2018	<u>1873</u>		ORDER <u>1868</u> Plaintiffs Status Report to Judge Putnam Regarding Redaction and Privilege Issues Related to Depositions of Terry Kellogg and Robin Stone is construed as a motion and set for hearing; Motion Hearing set for 2/6/2018 11:00 AM before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on 1/26/2018. (KAM) (Entered: 01/26/2018)
01/26/2018	<u>1874</u>		Transcript of Proceedings held on 1/25/2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/16/2018. Redacted Transcript Deadline set for 2/26/2018. Release of Transcript Restriction set for 4/26/2018. (Attachments: # <u>1</u> Certification) (KAM,) (Entered: 01/26/2018)
01/26/2018	1875		TEXT ORDER re <u>1873</u> Order dated January 26, 2018. The Motion Hearing previously set for February 6, 2018, by the Order dated January 26, 2018, is RESET for February 20, 2018, at 1:00 p.m. in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, AL before Judge T Michael Putnam. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on January 26, 2018. (JTS) (Entered: 01/26/2018)
01/29/2018	1876		TEXT ORDER amending <u>1873</u> Order dated January 26, 2018. Responses are due no later than February 8, 2015, and replies, if any, are due no later than February 15, 2018. All other issue limitations set forth in the Order dated January 26, 2018, remain in effect. Signed by Magistrate Judge T Michael Putnam on January 29, 2018. (JTS) (Entered: 01/29/2018)
01/29/2018	<u>1877</u>		DISCOVERY ORDER No. 85 – denying <u>1864</u> Motion to Compel Production of Filed Rate Discovery and Challenging Assertion of Privilege. Signed by Magistrate Judge Michael T. Putnam on 1/29/2018. (KAM) Modified on 1/30/2018 (KAM,). (Entered: 01/29/2018)
01/29/2018	<u>1878</u>		ORDER DENYING <u>1741</u> MOTION for Reconsideration and OVERRULING the Objections. Signed by Judge R David Proctor on 1/29/2018. (JLC) (Entered: 01/29/2018)
01/29/2018	<u>1879</u>		

		STATUS REPORT <i>Justification to Maintain Seal on Exhibit B to Plaintiffs' Motion to Compel Production of Filed Rate Discovery and Challenging Assertion of Privilege</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 01/29/2018)
01/30/2018	<u>1880</u>	***Document Sealed ***SUBSCRIBER PLAINTIFFS'*** MOTION to de-designate non-privileged financial reserve documents appearing on privilege logs (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 01/30/2018)
01/30/2018	<u>1881</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT TRIPLE-S SALUD</i> . (Harwood, R) (Additional attachment(s) added on 1/30/2018: # <u>1</u> Exhibit Unredacted R&R 1881) (PSM,). (Entered: 01/30/2018)
01/30/2018	<u>1882</u>	ORDER Status Conference set for 2/22/2018 01:00 PM before Magistrate Judge T Michael Putnam; Motions <u>1868</u> plaintiffs' construed motion to reopen depositions and and <u>1880</u> subscriber plaintiffs' motion to de-designate non-privileged financial reserve documents will be heard at the status conference; deadlines regarding submissions with regard to these motions shall remain in effect. Signed by Magistrate Judge T Michael Putnam on 1/30/2018. (KAM) (Entered: 01/30/2018)
01/30/2018	<u>1883</u>	STATUS REPORT <i>Regarding Subscriber Plaintiffs' Amended Responses to BCBSM's First Set of Discovery Requests, BCBSM's Motion to Compel, and Discovery Order 75</i> by Blue Cross Blue Shield Michigan. filed by Blue Cross Blue Shield Michigan (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Campbell, Andrew) (Entered: 01/30/2018)
01/31/2018	<u>1884</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD ASSOCIATION</i> . (Harwood, R) (Additional attachment(s) added on 1/31/2018: # <u>1</u> Exhibit Unredacted 1884) (PSM,). (Entered: 01/31/2018)
01/31/2018	<u>1885</u>	ORDER re <u>1871</u> RR The parties are ORDERED to PERMANENTLY DELETE, DESTROY, and PURGE any and all electronic copies of Document 1871. Additionally, the parties are ORDERED NOT to examine, alter, or manipulate the redactions within the downloaded version of the original docket entry. The court has corrected the redaction method to prevent any issues with future Reports and Recommendations going forward. Signed by Magistrate Judge T Michael Putnam on 1/31/2018. (KAM) (Entered: 01/31/2018)
01/31/2018	<u>1886</u>	STATUS REPORT <i>in Response to BCBS-MI Status Report Regarding Subscriber Plaintiffs' Amended Responses to BCBS-MI's First Set of Discovery Requests</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hellums, Christopher) (Entered: 01/31/2018)
02/01/2018	<u>1887</u>	NOTICE of Appearance by Alicia L Shelton on behalf of Plaintiffs' Counsel (Shelton, Alicia) (Entered: 02/01/2018)
02/01/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 2/1/2018. (Court Reporter Teresa

			Roberson) (ASL) (Entered: 02/01/2018)
02/01/2018	<u>1888</u>		***Document Sealed ** BlueCross BlueShield of South Carolina and Blue Cross Blue Shield Association's OBJECTION to the 1/25/2018 Report & Recommendation of Special Master (KAM) (Entered: 02/01/2018)
02/01/2018	<u>1889</u>		RESPONSE to re <u>1871</u> , <u>1872</u> <i>Plaintiffs' Objections to Special Master's Reports and Recommendations on BCBS-WY and BCBS-SC Privilege Log Samples</i> filed by Plaintiffs' Counsel. (Cooper, Charles) (Entered: 02/01/2018)
02/01/2018	<u>1890</u>		***Document Sealed **BCBS of WYOMING** OBJECTION TO <u>1871</u> Special Master Report and Recommendation (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM) (Entered: 02/02/2018)
02/05/2018	<u>1891</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF RHODE ISLAND</i> . (Harwood, R) (Entered: 02/05/2018)
02/05/2018	<u>1892</u>		***Document Sealed **PLAINTIFFS*** Response to Objections of BCBSSC, BCBSA and BCBS-WY to the 1/25/2018 REPORTS & RECOMMENATIONS of the Special Master (KAM) (Entered: 02/05/2018)
02/05/2018	<u>1893</u>		***Document Sealed **BCBS of South Carolina's RESPONSE to plaintiffs' objection to 1/25/2018 Report and Recommendation of the Special Master (KAM) (Entered: 02/05/2018)
02/05/2018	<u>1894</u>		STATUS REPORT by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Stokes, Tammy) (Entered: 02/05/2018)
02/05/2018	<u>1895</u>		***Document Sealed **BCBS of WYOMING Response to Plaintiff's Objection to the Special Master Report and Recommendation (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C part 1, # <u>4</u> Exhibit C part 2, # <u>5</u> Exhibit C part 3, # <u>6</u> Exhibit C part 4) (KAM) (Entered: 02/06/2018)
02/06/2018	<u>1896</u>		***Document Sealed **PLAINTIFFS*** Objections to Special Master's Report and Recommendation on Triple-S Salud Privilege Log Samples (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 02/06/2018)
02/06/2018	<u>1897</u>		RESPONSE to re <u>1881</u> <i>Triple-S' Objection to Special Master's Report & Recommendation</i> filed by Triple-S Salud, Inc.. (Cohen, Lucile) (Entered: 02/06/2018)
02/06/2018	<u>1898</u>		RESPONSE to re <u>1870</u> <i>Defendants' Objection & Request for Clarification to Special Privilege Master Report & Recommendation on Common Interest Doctrine</i> filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 02/06/2018)
02/07/2018	<u>1899</u>		DISCOVERY ORDER NO. 86 – granting in part and denying in part <u>1810</u> Sealed Motion – Defendant Blue Cross Blue Shield of Michigans Motion to Compel Subscriber Plaintiffs to Supplement their Responses to Defendants First Set of Discovery Requests Pursuant to Discovery Order No. 75.Signed by Magistrate Judge T Michael Putnam on 2/7/2018. (KAM) (Entered: 02/07/2018)
02/07/2018	<u>1900</u>		

		***Document Sealed **PLAINTIFFS' Objections to Special Master's Report and Recommendation <u>1884</u> on BCBSA Privilege Log Samples (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 02/07/2018)
02/07/2018	<u>1901</u>	***Document Sealed **BLUE CROSS BLUE SHIELD ASSOCIATIONS' Objection to 1/31/2018 Report and Recommendation of the Special Master (KAM) (Entered: 02/07/2018)
02/07/2018	<u>1902</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINAS SAMPLE DOCUMENTS. Signed by Judge R David Proctor on 2/7/2018. (KAM) (Entered: 02/07/2018)
02/07/2018	<u>1903</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF WYOMINGS SAMPLE DOCUMENTS. Signed by Judge R David Proctor on 2/7/2018. (KAM) (Entered: 02/07/2018)
02/08/2018	<u>1904</u>	NOTICE of Appearance by Elizabeth Pollock–Avery on behalf of Plaintiffs' Counsel (Pollock–Avery, Elizabeth) (Entered: 02/08/2018)
02/08/2018	<u>1905</u>	ORDER UNSEALING CERTAIN DOCUMENTS – pursuant to the Seal Team's 2/6/2018 report regarding sealed exhibits to the parties' Standard of Review briefing; the Clerk is directed to unseal certain documents and/or exhibits as further set out in this order. Signed by Judge R David Proctor on 2/8/2018. (KAM) (Entered: 02/08/2018)
02/08/2018	<u>1906</u>	Opposition to <i>Plaintiffs' Motion to Reopen Depositions</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 02/08/2018)
02/09/2018	<u>1907</u>	***Document Sealed **Blue Cross Blue Shield of Alabama's OPPOSITION to Plaintiffs' Motion to Reopen Depositions (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 02/09/2018)
02/09/2018	<u>1908</u>	ORDER REGARDING DEFENDANTS OBJECTION AND REQUEST FOR CLARIFICATION REGARDING COMMON INTEREST DOCTRINE – for the reasons set forth in this order, <u>1898</u> Defendants' objection is OVERRULED and their Request for clarification is DENIED without prejudice. Signed by Judge R David Proctor on 2/9/2018. (KAM) (Entered: 02/09/2018)
02/09/2018	<u>1909</u>	***Document Sealed ** Triple–S Salud's Response to Plaintiffs' objection to January 30,2018 Report and Recommendation of the Special Master (KAM) (Entered: 02/09/2018)
02/09/2018	<u>1910</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>1880</u> Document Sealed by Anthem, Inc.. (Cohen, Lucile) (Entered: 02/09/2018)
02/12/2018	1911	TEXT ORDER granting <u>1910</u> Anthem's Motion for Extension of Time to File Response. Anthem's response is due no later than February 15, 2018. A reply, if any, is due no later than February 21, 2018, at 12:00 p.m. CST. Signed by Magistrate Judge T Michael Putnam on February 12, 2018. (JTS) (Entered: 02/12/2018)
02/12/2018	<u>1912</u>	***Document Sealed ** Blue Cross Blue Shield Association's Response to Plaintiffs' Objection to January 31, 2018 Report & Recommendation of Special Master (KAM) (Entered: 02/12/2018)

02/12/2018	<u>1913</u>	***Document Sealed **SUBSCRIBER PLAINTIFFS' Rule 72 Objections to Discovery Order No. 85 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 02/12/2018)
02/12/2018	<u>1914</u>	***Document Sealed ** PLAINTIFFS' Response to Blue Cross Blue Shield Association's Objection to January 31, 2018 Report and Recommendation of Special Master (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (KAM) (Entered: 02/12/2018)
02/12/2018	<u>1915</u>	***Document Sealed – **Blue Cross & Blue Shield of Rhode Island's OBJECTION to February 5, 2018 Report & Recommendation of the Special Master (KAM) (Entered: 02/13/2018)
02/13/2018	<u>1916</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF TRIPLE–S SALUDS SAMPLE DOCUMENTS re <u>1896</u> Document Sealed Objections and <u>1897</u> Response (other) filed by Triple–S Salud, Inc; Objection overruled. Ruling: privilege claim upheld. Signed by Judge R David Proctor on 2/13/2018. (KAM) (Entered: 02/13/2018)
02/14/2018	<u>1917</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD ASSOCIATIONS SAMPLE DOCUMENTS <u>1900</u> and <u>1901</u> . Signed by Judge R David Proctor on 2/14/2018. (KAM) (Entered: 02/14/2018)
02/14/2018	<u>1918</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment of services rendered and expenses incurred from 12/1/2017 through 12/31/2017 in this matter relating solely to services provided to the Plaintiffs and totaling \$46,500.00. Signed by Judge R David Proctor on 2/14/2018. (KAM) (Entered: 02/14/2018)
02/14/2018	<u>1919</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 12/1/2017 through 12/31/2017 in this matter as it relates to services rendered for both sides of the case, and totaling \$5,500.00. Signed by Judge R David Proctor on 2/14/2018. (KAM) (Entered: 02/14/2018)
02/14/2018	<u>1920</u>	MOTION to Withdraw <i>Motion to De–Designate Non–Privileged Financial Reserve Documents Appearing on Privilege Logs As to Anthem</i> by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 02/14/2018)
02/15/2018	<u>1921</u>	TEXT ORDER granting <u>1920</u> Motion to Withdraw. The Motion to De–Designate Non–Privileged Financial Reserve Documents Appearing on Privilege Logs <u>1880</u> is deemed WITHDRAWN. Signed by Magistrate Judge T Michael Putnam on February 15, 2018. (JTS) (Entered: 02/15/2018)
02/15/2018	<u>1922</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF RHODE ISLANDS SAMPLE DOCUMENTS; This matter is before the court on Blue Cross and Blue Shield of Rhode Islands Objection to the February 5, 2018 Report and Recommendation of Special Master. (Doc. # 1915). At issue is only one document, document 221331.1 The Privilege Special Master determined that with regard to Document 221331, the claimed privilege was unsubstantiated (Doc. # 1891), and BCBS–RI objects to that determination <u>1915</u> ; Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 2/15/2018. (KAM) (Entered: 02/15/2018)
02/15/2018	<u>1923</u>	

			REPLY to re <u>1906</u> , <u>1868</u> , <u>1873</u> <i>Plaintiffs' Reply In Support of Their Construed Motion to Reopen the Depositions of Terry Kellogg and Robin Stone</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 02/15/2018)
02/15/2018	<u>1924</u>		STATUS REPORT <i>on Behalf of Plaintiffs and Defendants on Sampling Process</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 02/15/2018)
02/16/2018	<u>1925</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF MINNESOTA</i> . (Harwood, R) (Additional attachment(s) added on 2/16/2018: # <u>1</u> Exhibit Unredacted) (PSM,). (Entered: 02/16/2018)
02/16/2018	<u>1926</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF MISSISSIPPI</i> . (Harwood, R) (Additional attachment(s) added on 2/16/2018: # <u>1</u> Exhibit Unredacted) (PSM,). (Entered: 02/16/2018)
02/16/2018	<u>1927</u>		MOTION for Sanctions <i>Plaintiffs' Motion to Reopen Depositions of Steven Ostlund and Michael Velezis and Motion for Sanctions (Redacted)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 02/16/2018)
02/16/2018	<u>1928</u>		ORDER Setting Hearing on Motion <u>1927</u> MOTION for Sanctions <i>Plaintiffs' Motion to Reopen Depositions of Steven Ostlund and Michael Velezis and Motion for Sanctions (Redacted)</i> : Motion Hearing set for 3/8/2018 01:00 PM before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T. Michael Putnam on 2/16/2018. (KAM) Modified on 2/16/2018 (KAM,). (Entered: 02/16/2018)
02/16/2018	<u>1929</u>		SEALED MOTION **PLAINTIFFS " Motion to Reopen the depositions of Steven Ostlund and Michael Velezis and MOTION for Sanctions. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(KAM) (Entered: 02/16/2018)
02/19/2018	<u>1930</u>		MOTION for Protective Order <i>Regarding Ostlund Deposition and Request for Permission to File Out of Time</i> by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Burkhalter, Carl) (Entered: 02/19/2018)
02/20/2018	<u>1931</u>		SEALED MOTION for limited Protective Order regarding Ostlund deposition and request for permission to file out of time by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit B)(KAM) (Entered: 02/20/2018)
02/20/2018	1932		TEXT ORDER re <u>1930</u> and <u>1931</u> Motion for Limited Protective Order Regarding Ostlund Deposition and Request for Permission to File Out of Time. Any response to the motion is due no later than February 27, 2018, at 12:00 p.m. CST. A reply, if any, is due no later than March 6, 2018, at 12:00 p.m. CST. Argument is set for March 8, 2018. Signed by Magistrate Judge T Michael Putnam on February 20, 2018. (JTS) (Entered: 02/20/2018)
02/20/2018	<u>1933</u>		

		ORDER UNSEALING CERTAIN DOCUMENTS – in light of the Seal Team's February 20, 2018 Report, the Clerk is directed to unseal documents and/or exhibits as set out in this order. Signed by Judge R David Proctor on 2/20/2018. (KAM) (Entered: 02/20/2018)
02/21/2018	<u>1934</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS AND BLUE SHIELD OF LOUISIANA</i> . (Harwood, R) (Entered: 02/21/2018)
02/21/2018	<u>1935</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF ALABAMA</i> . (Harwood, R) (Additional attachment(s) added on 2/21/2018: # <u>1</u> Supplement Unredacted Brief) (PSM,). (Entered: 02/21/2018)
02/21/2018	<u>1936</u>	NOTICE by Plaintiffs' Liaison Counsel re <u>1924</u> Status Report of <i>[Proposed] Order Regarding Briefing of Disputes under Discovery Order No. 76 on behalf of Plaintiffs and Defendants</i> (Ragsdale, Barry) (Entered: 02/21/2018)
02/22/2018	<u>1937</u>	NOTICE of Change of Address by Garrett D Blanchfield (Blanchfield, Garrett) (Entered: 02/22/2018)
02/22/2018	<u>1938</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 1/1/2018 through 1/31/2018 in this matter relating solely to services provided to the plaintiffs and totaling \$65,000.00. Signed by Judge R David Proctor on 2/22/2018. (KAM) (Entered: 02/22/2018)
02/22/2018	<u>1939</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 1/1/2018 through 1/31/2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$4,500.00. Signed by Judge R David Proctor on 2/22/2018. (KAM) (Entered: 02/22/2018)
02/22/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Status Conference and Motion Hearing held on 2/22/2018; re <u>1868</u> ; argument by counsel; court's remarks; taken under submission; hrg adj. (Court Reporter Lindy Fuller) (ASL) (Entered: 02/22/2018)
02/23/2018	<u>1940</u>	NOTICE by Plaintiffs' Counsel re <u>1350</u> SEALED MOTION, <u>1431</u> Document Sealed,,,,,,,,, of <i>Filing Redacted Exhibits for Docket Numbers 1350–25 and 1431–16</i> (Attachments: # <u>1</u> Exhibit 24, # <u>2</u> Exhibit 39)(Quillen, Henry) (Entered: 02/23/2018)
02/23/2018	<u>1941</u>	SECOND AMENDMENT TO DISCOVERY ORDER No. 76. Signed by Magistrate Judge T Michael Putnam on 2/23/2018. (JLC) (Entered: 02/23/2018)
02/23/2018	<u>1942</u>	Opposition to <i>Motion to Reopen Depositions and for Sanctions</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 02/23/2018)
02/23/2018	<u>1943</u>	***Document Sealed– Plaintiff's Objections to Special Master's Report and Recommendation on BCBS–MS and BCBS–MN Privilege Log Samples. (Attachments: # <u>1</u> Exhibit 1) (SAC) (Entered: 02/23/2018)

02/26/2018	<u>1944</u>		Transcript of Proceedings held on 2/22/18, before Judge T. Michael Putnam. Court Reporter/Transcriber Lindy Fuller, Telephone number (205) 278-2062. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 3/19/2018. Redacted Transcript Deadline set for 3/29/2018. Release of Transcript Restriction set for 5/27/2018. (MRR,) (Entered: 02/26/2018)
02/26/2018	<u>1945</u>		***Document Sealed– BCBSAL'S OPPOSITION TO MOTION TO REOPEN DEPOSITIONS AND FOR SANCTIONS. (SAC) (Entered: 02/26/2018)
02/26/2018	<u>1946</u>		***Document Sealed– Blue Cross and Blue Shield of Minnesota's Response to Plaintiff's Objection to February 16,2018 Report & Recommendation of the Special Master. (SAC) (Entered: 02/26/2018)
02/26/2018	<u>1947</u>		RESPONSE to <i>Plaintiffs' Objection to February 16 Report & Recommendation regarding Sample Documents from Blue Cross & Blue Shield of Mississippi</i> filed by Defendants' Counsel. (Cohen, Lucile) (Entered: 02/26/2018)
02/26/2018	<u>1948</u>		RESPONSE to <i>Subscriber Plaintiffs' Rule 72 Objections to Discovery Order No.85</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 02/26/2018)
02/27/2018	<u>1949</u>		***Document Sealed ***Blue Cross and Blue Shield of Alabama's Response to Subscriber Plaintiffs' Rule 72 Objections to Discovery Order No. 85 (KAM) (Entered: 02/27/2018)
02/27/2018	<u>1950</u>		***Document Sealed **Plaintiff's RESPONSE in OPPOSITION to Blue Cross and Blue Shield of Alabama's Motion for limited protective order regarding Ostlund deposition (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM) (Entered: 02/27/2018)
02/27/2018	<u>1951</u>		RESPONSE in Opposition re <u>1930</u> MOTION for Protective Order <i>Regarding Ostlund Deposition and Request for Permission to File Out of Time (Redacted)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Whatley, Joe) (Entered: 02/27/2018)
02/27/2018	<u>1952</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS AND BLUE SHIELD OF FLORIDA</i> . (Harwood, R) (Entered: 02/27/2018)
02/27/2018	<u>1953</u>		NOTICE by Plaintiffs' Counsel re <u>1350</u> SEALED MOTION <i>of Filing Redacted Exhibit A</i> (Attachments: # <u>1</u> Exhibit A – Redacted)(Quillen, Henry) (Entered: 02/27/2018)

02/28/2018	<u>1954</u>	***Document Sealed** Plaintiffs' OBJECTIONS to Special Master's Report and Recommendation on BCBS-LA and BCBS-AL Privilege Log Samples (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 02/28/2018)
02/28/2018	<u>1955</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF MINNESOTAS AND BLUE CROSS AND BLUE SHIELD OF MISSISSIPPI SAMPLE DOCUMENTS – Document BCBS-MN-00117617 – Objection sustained. Ruling: Privilege claim unsubstantiated; Document BCBS-MN-00119008 – Objection overruled. Ruling: Privilege claim upheld; Document BCBS-MN-00385736 – Objection overruled. Ruling: Privilege claim upheld; Document BCBS-MN-00159348 – Objection overruled. Ruling: Privilege claim upheld; Document BCBSMS0144405 – Objection overruled. Ruling: Privilege claim upheld; Document BCBSMS0157015 – Objection overruled. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 2/28/2018. (KAM) (Entered: 02/28/2018)
02/28/2018	<u>1956</u>	STATUS REPORT <i>on Redacted Documents</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Malatesta, John) (Entered: 02/28/2018)
03/02/2018	<u>1957</u>	***Document Sealed **PLAINTIFFS' Reply in Support of Motion to Sanction BCBS of Alabama (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM) (Entered: 03/02/2018)
03/02/2018	<u>1958</u>	REPLY to re <u>1929</u> <i>Plaintiffs' Reply In Support of Motion to Sanction Blue Cross and Blue Shield of Alabama (Redacted)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Whatley, Joe) (Entered: 03/02/2018)
03/05/2018	<u>1959</u>	STATUS REPORT <i>Certification Regarding BCBS of Michigan's Cumulative Privilege Log Pursuant to Second Amendment to Discovery Order No. 76</i> by Blue Cross Blue Shield Michigan. filed by Blue Cross Blue Shield Michigan (Campbell, Andrew) (Entered: 03/05/2018)
03/05/2018	<u>1960</u>	NOTICE by Defendants' Counsel <i>Certification Pursuant To Second Amendment to Discovery Order No. 76 On Behalf Of Independence Hospital Indemnity Plan, Inc.</i> (Oppenheimer, Brooke) (Entered: 03/05/2018)
03/05/2018	<u>1961</u>	SEALED MOTION ** Plaintiffs' MOTION to amend order appointing Privilege Master, ECF No. 1763. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(KAM) (Entered: 03/05/2018)
03/05/2018	<u>1962</u>	NOTICE by USAble Mutual Insurance Company d/b/a Arkansas Blue Cross and Blue Shield <i>Certification Pursuant to Discovery Order 76</i> (Benny, Erik) (Entered: 03/05/2018)
03/05/2018	<u>1963</u>	***Document Sealed **DEFENDANT BCBS of Louisiana's RESPONSE to Plaintiffs' Objection to 2/21/2018 REPORT & RECOMMENDATION of the Special Master (KAM) (Entered: 03/05/2018)
03/05/2018	<u>1964</u>	NOTICE by Defendants' Counsel <i>Certification Regarding Blue Cross Blue Shield Association's Cumulative Privilege Logs Pursuant to Second Amendment to Discovery Order No. 76</i> (Donnell, Sarah) (Entered: 03/05/2018)

03/05/2018	<u>1965</u>		ORDER REGARDING SUBSCRIBER PLAINTIFFS RULE 72 OBJECTIONS TO DISCOVERY ORDER NO. 85 – Subscriber Plaintiffs Rule 72 Objections to Discovery Order No. 85 (Doc. # 1913) are OVERRULED. Signed by Judge R David Proctor on 3/5/2018. (KAM) (Entered: 03/05/2018)
03/05/2018	<u>1966</u>		NOTICE by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield <i>Certification Pursuant to Discovery Order 76</i> (Clark, Anna) (Entered: 03/05/2018)
03/05/2018	<u>1967</u>		NOTICE by Defendants' Counsel <i>Certification Pursuant To Second Amendment To Discovery Order No. 76 On Behalf Of Capital BlueCross</i> (Spotswood, Robert) (Entered: 03/05/2018)
03/05/2018	<u>1968</u>		NOTICE by Premera Blue Cross <i>Certification Regarding Premera's Cumulative Privilege Log Pursuant to Second Amendment to Discover Order No. 76</i> (Payton, Gwendolyn) (Entered: 03/05/2018)
03/05/2018	<u>1969</u>		NOTICE by Blue Shield of California <i>Certification of Blue Shield of California's Cumulative Privilege Log Pursuant to the Second Amendment to Discovery Order No. 76</i> (Fronk, Casey) (Entered: 03/05/2018)
03/05/2018	<u>1970</u>		NOTICE by Highmark Inc. <i>Certification Regarding Highmark Cumulative Privilege Log Pursuant to Second Amendment to Discovery Order No. 76</i> (Zolner, Erica) (Entered: 03/05/2018)
03/05/2018	<u>1971</u>		NOTICE by Defendants' Counsel <i>Certification of CareFirst, Inc.'s, Group Hospitalization and Medical Services, Inc.'s, CareFirst of Maryland, Inc.'s, and CareFirst BlueChoice, Inc.'s Privilege Logs in Response to Second Amendment to Discovery Order No. 76</i> (Norman, Brian) (Entered: 03/05/2018)
03/05/2018	<u>1972</u>		NOTICE by Anthem, Inc. re <u>1667</u> Order <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF ANTHEM, INC.</i> (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1973</u>		CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS BLUE SHIELD OF FLORIDA</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1974</u>		CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS AND BLUE SHIELD OF LOUISIANA</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1975</u>		NOTICE by Blue Cross and Blue Shield of Alabama – <i>Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Malatesta, John) (Entered: 03/05/2018)
03/05/2018	<u>1976</u>		CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS BLUE SHIELD OF MASSACHUSETTS</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1977</u>		

		CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS AND BLUE SHIELD OF MINNESOTA</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1978</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS & BLUE SHIELD OF MISSISSIPPI</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1979</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUECROSS BLUESHIELD OF NORTH CAROLINA</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1980</u>	NOTICE by Defendants' Counsel of <i>Blue Cross Blue Shield of Arizona's Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1981</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS & BLUE SHIELD OF RHODE ISLAND</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1982</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUECROSS BLUESHIELD OF SOUTH CAROLINA</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1983</u>	NOTICE by Defendants' Counsel of <i>Blue Cross and Blue Shield of Kansas, Inc.s Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1984</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUECROSS BLUESHIELD OF TENNESSEE</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1985</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF BLUE CROSS AND BLUE SHIELD OF VERMONT</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1986</u>	NOTICE by Defendants' Counsel of <i>Blue Cross and Blue Shield of Kansas City's Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1987</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF CAMBIA HEALTH SOLUTIONS</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1988</u>	CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF HAWAII MEDICAL SERVICE ASSOCIATION</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)

03/05/2018	<u>1989</u>		NOTICE by Defendants' Counsel of <i>Blue Cross of Idaho Health Service, Inc.'s Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1990</u>		CERTIFICATE of Counsel <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1991</u>		NOTICE by Defendants' Counsel of <i>Blue Cross and Blue Shield of Nebraska's Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1992</u>		CERTIFICATE of Counsel re <u>1667</u> Order <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF TRIPLE-S SALUD</i> by Lucile Cohen on behalf of Triple-S Salud, Inc. (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1993</u>		NOTICE by Defendants' Counsel of <i>HealthNow New York Inc.'s Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1994</u>		CERTIFICATE of Counsel re <u>1667</u> Order <i>CERTIFICATION PURSUANT TO DISCOVERY ORDER 76 ON BEHALF OF WELLMARK BLUE CROSS AND BLUE SHIELD</i> by Lucile Cohen on behalf of Defendants' Counsel (Cohen, Lucile) (Entered: 03/05/2018)
03/05/2018	<u>1995</u>		NOTICE by Defendants' Counsel of <i>Noridian Mutual Insurance Company's Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1996</u>		NOTICE by Defendants' Counsel of <i>Blue Cross Blue Shield of Wyoming's Certification Pursuant to Second Amendment to Discovery Order No. 76</i> (Sooy, Kathleen) (Entered: 03/05/2018)
03/05/2018	<u>1997</u>		NOTICE by Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc., Health Care Service Corporation / <i>Certification of Privilege Review Pursuant to Second Amendment to Discovery Order No. 76</i> (Fowler, Jeffrey) (Entered: 03/05/2018)
03/05/2018	<u>1998</u>		RESPONSE to <i>Plaintiffs' Objection to February 21, 2018 Report & Recommendation of Special Master</i> filed by Blue Cross and Blue Shield of Alabama. (Malatesta, John) (Entered: 03/05/2018)
03/06/2018	<u>1999</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF MASSACHUSETTS</i> . (Harwood, R) (Additional attachment(s) added on 3/6/2018: # <u>1</u> Exhibit Unredacted) (PSM,). (Entered: 03/06/2018)
03/06/2018	<u>2000</u>		REPLY to <i>In Further Support of Motion for Protective Order Regarding Ostlund Deposition</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A-1, # <u>2</u> Exhibit A-2, # <u>3</u> Exhibit A-3, # <u>4</u> Exhibit A-4, # <u>5</u> Exhibit A-5, # <u>6</u> Exhibit A-6)(Burkhalter, Carl) (Entered: 03/06/2018)

03/06/2018	<u>2001</u>		NOTICE by Plaintiffs' Counsel re <u>1350</u> SEALED MOTION of Filing Redacted Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit)(Quillen, Henry) (Entered: 03/06/2018)
03/06/2018	<u>2002</u>		NOTICE by Plaintiffs' Counsel re <u>1431</u> Document Sealed,,,,,,,,, of Filing Redacted Response to Defendants' Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit)(Quillen, Henry) (Entered: 03/06/2018)
03/06/2018	<u>2003</u>		NOTICE by Plaintiffs' Counsel re <u>1557</u> Document Sealed, of Filing Redacted Reply In Support of Their Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit)(Quillen, Henry) (Entered: 03/06/2018)
03/06/2018	<u>2004</u>		***Document Sealed*** BCBSALS REPLY IN FURTHER SUPPORT OF MOTION FORPROTECTIVE ORDER REGARDING OSTLUND DEPOSITION (KAM) (Entered: 03/06/2018)
03/06/2018	<u>2005</u>		***Document Sealed *** Plaintiffs' OBJECTIONS to Special Mater's Report and Recommendation on BCBS-FL (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (KAM) (Entered: 03/06/2018)
03/06/2018	<u>2006</u>		NOTICE by Plaintiffs' Counsel re <u>1431</u> Document Sealed,,,,,,,,, of Filing Redacted Response to Defendants' Motion for Summary Judgment (Corrected) (Attachments: # <u>1</u> Exhibit)(Quillen, Henry) (Entered: 03/06/2018)
03/06/2018	<u>2007</u>		***Document Sealed ** Blue Cross and Blue Shield of Louisiana's Response to Plaintiffs' Objection to February 21, 2018 Report & Recommendation of the Special Master (KAM) (Entered: 03/06/2018)
03/06/2018	<u>2008</u>		***Document Sealed *** Blue Cross Blue Shield of Florida's Objection to February 27, 2018 Report & Recommendation of Special Master (KAM) (Entered: 03/06/2018)
03/06/2018	2009		TEXT ORDER – This matter is before the court on Plaintiffs' Motion to Amend Order Appointing Privilege Master (Doc. # <u>1961</u>). Any response to the Motion is due on or before March 16, 2018. Any reply is due on or before March 23 2018. Argument is set for 10:00 a.m. on April 5, 2018 . In their briefing, the parties may want to address the effect of the March 5 recertification of Defendants' privilege logs in light of the rulings issued by the Privilege Master and the Court on the sample documents. The court may have questions about the review of particular documents. Signed by Judge R David Proctor on 3/6/2018. (KAM,) (Entered: 03/06/2018)
03/06/2018	<u>2010</u>		STATUS REPORT BCBSAL's Justifications to Maintain Redactions Contained in Plaintiffs' Response in Opposition to BCBSAL's Motion for Limited Protective Order Regarding Ostlund Deposition and Accompanying Exhibit by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 03/06/2018)
03/07/2018	<u>2011</u>		ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF LOUISIANAS AND BLUE CROSS AND BLUE SHIELD OF ALABAMAS SAMPLE DOCUMENTS – Document BCBSAL–1700393 – Objection overruled. Ruling: Privilege claim upheld; Document BCBSLA–00208909 –Objection overruled. Ruling: Privilege claim upheld as to the first three chronological e-mails in the string; Document BCBSLA–00208842 –

		Objection sustained. Ruling: Privilege claim unsubstantiated. Signed by Judge R David Proctor on 3/7/2018. (KAM) (Entered: 03/07/2018)
03/07/2018	<u>2012</u>	***Document Sealed*** PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY INSUPPORT OF MOTION CHALLENGING ASSERTION OFPRIVILEGE OVER DOCUMENTS PRODUCED BYDEFENDANTS ANTHEM, INC. AND CAPITAL BLUECROSS (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 03/07/2018)
03/07/2018	<u>2013</u>	RESPONSE to re <u>1956</u> <i>Plaintiffs' Response to Blue Cross and Blue Shield of Alabama's Status Report on Redacted Documents</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 03/07/2018)
03/08/2018	<u>2014</u>	DISCOVERY ORDER NO. 87 granting in part and denying in part <u>1816</u> Plaintiffs Motion Challenging Assertion of Privilege over Documents Produced by Defendants Anthem, Inc. and Capital BlueCross filed on December 1, 2017 as set out in this order. Signed by Magistrate Judge T Michael Putnam on 3/8/2018. (Attachments: # <u>1</u> SEALED Exhibit) (KAM) (Entered: 03/08/2018)
03/08/2018	<u>2015</u>	NOTICE by Plaintiffs' Counsel re <u>1351</u> Document Sealed of <i>Filing Redacted Document</i> (Attachments: # <u>1</u> Exhibit)(Stokes, Tammy) (Entered: 03/08/2018)
03/08/2018	<u>2016</u>	NOTICE by Plaintiffs' Counsel re <u>1435</u> Document Sealed, of <i>Filing Redacted Document</i> (Attachments: # <u>1</u> Exhibit)(Stokes, Tammy) (Entered: 03/08/2018)
03/08/2018	<u>2017</u>	NOTICE by Plaintiffs' Counsel re <u>1554</u> Document Sealed of <i>Filing Redacted Document</i> (Attachments: # <u>1</u> Exhibit)(Stokes, Tammy) (Entered: 03/08/2018)
03/08/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 3/8/2018: re <u>1927</u> , <u>1931</u> ; argument by counsel; court's remarks; hrg adj(Court Reporter Leah Turner) (ASL) (Entered: 03/08/2018)
03/09/2018	<u>2018</u>	DISCOVERY ORDER NO. 88 – Pending before the court is the plaintiffs Construed Motion to Reopen the Depositions of Terry Kellogg and Robin Stone filed on January 23, 2018 <u>1868</u> and <u>1873</u> ; the Construed Motion is GRANTED. The plaintiffs may reopen the Kellogg and Stone depositions for one hour for each executive. However, the scope is limited to the November 2010 email chain and the meaning of the email chains contents.2 The depositions are to be completed by March 30, 2018. Signed by Magistrate Judge T Michael Putnam on 3/9/2018. (KAM) (Entered: 03/09/2018)
03/09/2018	<u>2019</u>	***Document Sealed **BLUE CROSS BLUE SHIELD OF FLORIDA'S RESPONSE TO PLAINTIFFS'OBJECTION TO FEBRUARY 27, 2018 REPORT & RECOMMENDATIONOF THE SPECIAL MASTER (KAM) (Entered: 03/09/2018)
03/12/2018	<u>2020</u>	ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF FLORIDAS SAMPLE DOCUMENTS – Document BCBSF–00308741– Objection overruled. Ruling: Privilege claim upheld; Document BCBSF–00122264 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 3/12/2018. (KAM) (Entered: 03/12/2018)
03/12/2018	<u>2021</u>	

		NOTICE by Plaintiffs' Counsel re <u>1351</u> Document Sealed of Filing Redacted Document (Attachments: # <u>1</u> Exhibit)(Stokes, Tammy) (Entered: 03/12/2018)
03/12/2018	<u>2022</u>	DISCOVERY ORDER No. 89 – granting in part and denying in part <u>1927</u> Motion for Sanctions as further set out in this order; denying <u>1930</u> Motion for Protective Order;. Signed by Magistrate Judge T Michael Putnam on 3/12/2018. (KAM) (Entered: 03/12/2018)
03/13/2018	<u>2023</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF VERMONT</i> . (Harwood, R) (Entered: 03/13/2018)
03/13/2018	<u>2024</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF NORTH DAKOTA</i> . (Harwood, R) (Entered: 03/13/2018)
03/13/2018	<u>2025</u>	RESPONSE to re <u>2010</u> Plaintiffs' Response in Opposition to BCBS–AL's Justification to Maintain Redactions Contained in Plaintiffs' Response In Opposition to BCBS–AL's Motion for Limited Protective Order Regarding Ostlund Deposition filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 03/13/2018)
03/13/2018	<u>2026</u>	NOTICE by Plaintiffs' Counsel re <u>1999</u> Brief regarding Special Master's Report & Recommendation on BCBS–MA Privilege Log Samples (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ragsdale, Barry) (Entered: 03/13/2018)
03/14/2018	<u>2027</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF MICHIGAN</i> . (Harwood, R) (Additional attachment(s) added on 3/14/2018: # <u>1</u> Exhibit Unredacted Brief) (PSM,). (Entered: 03/14/2018)
03/14/2018	<u>2028</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF TENNESSEE</i> . (Harwood, R) (Additional attachment(s) added on 3/14/2018: # <u>1</u> Exhibit Unredacted Brief) (PSM,). (Entered: 03/14/2018)
03/16/2018	<u>2029</u>	Transcript of Proceedings held on March 8, 2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Leah S. Turner, Telephone number (205) 278–1780. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/6/2018. Redacted Transcript Deadline set for 4/16/2018. Release of Transcript Restriction set for 6/14/2018. (MRR,) (Entered: 03/16/2018)

		03/16/2018)
03/16/2018	<u>2030</u>	RESPONSE to re <u>2026</u> <i>Blue Cross Blue Shield of Massachusetts Response to Plaintiffs' Notice Regarding Report & Recommendation</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – 9/20/2017 email, # <u>2</u> Exhibit B – 11/7/2017 email, # <u>3</u> Exhibit C – 11/8/2017 BCBSMA production excerpt, # <u>4</u> Exhibit D – 11/10/2017 email, # <u>5</u> Exhibit E – in camera review cover sheets)(Cohen, Lucile) (Entered: 03/16/2018)
03/16/2018	<u>2031</u>	RESPONSE in Opposition re <u>1961</u> SEALED MOTION <i>to Amend Order Appointing Privilege Master</i> filed by Defendants' Counsel. (Bulander, Mathea) (Entered: 03/16/2018)
03/20/2018	<u>2032</u>	TEXT ORDER – The hearing on Plaintiffs' Motion to Amend Order Appointing Privilege Master <u>1961</u> previously set for April 5, 2018, is hereby RE–SET for 9:00 a.m. on Thursday, April 19, 2018 in courtroom 7A of the Hugo L. Black U.S. Courthouse, 1729 Fifth Avenue North, Birmingham, Alabama. In addition, the court has received notice from the Special Master that the opportunity the court allowed the parties to explore the possibility of a resolution of this matter is no longer proving fruitful. Therefore, at the April 19, 2018 hearing, in addition to arguing Plaintiffs' Motion to Amend Order Appointing Privilege Master, the parties SHALL be prepared to discuss an aggressive schedule for the first phase of this case, including class certification motions, expert reports, Daubert motions, and dispositive motions. The parties SHALL (1) meet and confer regarding proposed deadlines, and (2) on or before April 16, 2018, file a joint report regarding any agreed–upon deadlines and/or the parties' respective proposals for those deadlines.. Signed by Judge R David Proctor on 3/20/2018. (KAM) (Entered: 03/20/2018)
03/20/2018	<u>2033</u>	***Document Sealed ** BCBS of Vermont's OBJECTION to the 3/13/2018 Report & Recommendation of the Special Master (KAM) (Entered: 03/20/2018)
03/20/2018	<u>2034</u>	NOTICE by Plaintiffs' Liaison Counsel re <u>2024</u> <i>Brief Plaintiffs' Objections to Special Master's Reports and Recommendation on BCBS–ND Privilege Log Samples</i> (Ragsdale, Barry) (Entered: 03/20/2018)
03/20/2018	<u>2035</u>	***Document Sealed** BCBS of North Dakota's OBJECTION to Special Master Report and Recommendation <u>2024</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM) (Entered: 03/20/2018)
03/21/2018	<u>2036</u>	MOTION to Amend/Correct <i>Discovery Order No. 88 (Redacted)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Whatley, Joe) (Entered: 03/21/2018)
03/21/2018	<u>2037</u>	***Document Sealed Plaintiffs' Objection to Special Master's Report and Recommendation on BCBS–TN and BCBS–MI Privilege Log Samples (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 03/22/2018)
03/21/2018	<u>2038</u>	SEALED MOTION **Plaintiffs' MOTION to amend Discovery Order No. 88. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(KAM) (Entered: 03/22/2018)

03/22/2018	<u>2039</u>		STATUS REPORT <i>on Motions to Compel</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 03/22/2018)
03/22/2018	<u>2040</u>		MOTION for Extension of Time to File <i>Rule 72 Objection To Discovery Order No. 87</i> by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 03/22/2018)
03/23/2018	2041		TEXT ORDER This matter is before the court on Plaintiffs Motion for Extension of Time to File Rule 72 Objection to Discovery Order No. 87. <u>2040</u> The current basis for Plaintiffs Motion is too speculative to warrant relief at this point in time. The Motion <u>2040</u> is DENIED WITHOUT PREJUDICE . If a concrete basis for an objection is discovered after the deadline to file an objection has run, Plaintiffs may seek to file an objection out of time.Signed by Judge R David Proctor on 3/23/2018. (KAM) (Entered: 03/23/2018)
03/23/2018	<u>2042</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT USABLE MUTUAL INSURANCE COMPANY, DOING BUSINESS AS ARKANSAS BLUE CROSS AND BLUE SHIELD</i> . (Harwood, R) (Additional attachment(s) added on 3/23/2018: # <u>1</u> Exhibit Unredacted Brief) (PSM,). (Entered: 03/23/2018)
03/23/2018	<u>2043</u>		***Document Sealed ***DEFENDANT BCBS of North Dakota's RESPONSE to Plaintiffs' Objection to Special Master Report <u>2034</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 03/23/2018)
03/23/2018	<u>2044</u>		***Document Sealed **PLAINTIFFS' REPLY in support of Motion to Amend Order Appointing Privilege Master (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (KAM) (Entered: 03/23/2018)
03/23/2018	<u>2045</u>		REPLY to re <u>1961</u> <i>In Support of Motion to Amend Order Appointing Privilege Master (Redacted)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 03/23/2018)
03/23/2018	<u>2046</u>		Opposition to re <u>2035</u> <i>BCBS-ND's Objections to Special Master's Report & Recommendation</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 03/23/2018)
03/26/2018	<u>2047</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from February 1, 2018 through February 28, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$58,000.00. Signed by Judge R David Proctor on 3/26/2018. (KAM) (Entered: 03/26/2018)
03/26/2018	<u>2048</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from February 1, 2018 through February 28, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$3,500.00. Signed by Judge R David Proctor on 3/26/2018. (KAM) (Entered: 03/26/2018)
03/26/2018	<u>2049</u>		***Document Sealed ** DEFENDANT BCBS of TN Inc's RESPONSE to plaintiffs' objections to the 3/14/2018 Report and Recommendation of the Special Privilege Master (KAM) (Entered: 03/26/2018)

03/26/2018	<u>2051</u>		***Document Sealed ***DEFENDANT BCBS of Michigan's RESPONSE to Plaintiffs' Objection to March 14, 2018 Report & Recommendation of the Special Master (Attachments: # <u>1</u> Exhibit E – part 1, # <u>2</u> Exhibit E – part 2, # <u>3</u> Exhibit E – part 3, # <u>4</u> Exhibit E – part 4, # <u>5</u> Exhibit E – part 5, # <u>6</u> Exhibit E – part 6, # <u>7</u> Exhibit F) (KAM) (Entered: 03/27/2018)
03/27/2018	2050		TEXT ORDER re <u>2036</u> and <u>2038</u> Plaintiffs' Motion to Amend Discovery Order No. 88. Any response to this motion is due no later than April 9, 2018. A reply, if any, is due no later April 16, 2018. The court will hear argument on April 19, 2018, at the conclusion of Judge Proctor's hearing and/or at 1:30 p.m. in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on March 27, 2018. (JTS) (Entered: 03/27/2018)
03/27/2018	<u>2052</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HEALTH CARE SERVICE CORPORATION AND CARING FOR MONTANANS, INC.</i> . (Harwood, R) (Entered: 03/27/2018)
03/28/2018	<u>2053</u>		ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF VERMONT'S SAMPLE DOCUMENTS – Document BCBSVT–00183413 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 3/28/2018. (KAM) (Entered: 03/28/2018)
04/02/2018	<u>2054</u>		SUPPLEMENTAL ORDER REGARDING DISCOVERY ORDER NO. 76. Signed by Judge R David Proctor on 4/2/2018. (JLC) (Entered: 04/02/2018)
04/02/2018	<u>2055</u>		ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF MICHIGAN'S SAMPLE DOCUMENTS. Signed by Judge R David Proctor on 4/2/2018. (JLC) (Entered: 04/02/2018)
04/02/2018	<u>2056</u>		ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF TENNESSEE'S SAMPLE DOCUMENTS. Signed by Judge R David Proctor on 4/2/2018. (JLC) (Entered: 04/02/2018)
04/02/2018	<u>2057</u>		ORDER REGARDING BLUE CROSS AND BLUE SHIELD OF NORTH DAKOTA'S SAMPLE DOCUMENTS. Signed by Judge R David Proctor on 4/2/2018. (JLC) (Entered: 04/02/2018)
04/03/2018	<u>2058</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HEALTH CARE SERVICE CORPORATION AND CARING FOR MONTANANS, INC.</i> . (Harwood, R) (Entered: 04/03/2018)
04/03/2018	<u>2059</u>		STATUS REPORT <i>Plaintiffs' Status Report Regarding Continuing Area of Relevant Discovery</i> by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel. filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 04/03/2018)
04/04/2018	<u>2060</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT ANTHEM, INC.</i> . (Harwood, R) (Additional attachment(s) added on 4/4/2018: # <u>1</u> Exhibit Unredacted Brief) (PSM,) (Entered: 04/04/2018)
04/04/2018	<u>2061</u>		STATUS REPORT <i>Plaintiffs' Corrected Status Report Regarding Continuing Area of Relevant Discovery</i> by Plaintiffs' Counsel, Plaintiffs'

			Liaison Counsel. filed by Plaintiffs' Counsel, Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 04/04/2018)
04/05/2018	<u>2062</u>		***FILED UNDER SEAL at the request of Chambers***Joint MOTION for Discovery <i>Re Costs Incurred by Aetna & Humana</i> by Defendants' Counsel. (West, Kimberly) Modified on 4/6/2018 (JLC). Modified on 4/9/2018 (KAM,). (Entered: 04/05/2018)
04/05/2018	<u>2063</u>		MEMORANDUM OPINION. Signed by Judge R David Proctor on 4/5/2018. (JLC) (Entered: 04/05/2018)
04/05/2018	<u>2064</u>		ORDER REGARDING SECTION 1 STANDARD OF REVIEW AND SINGLE ENTITY DEFENSE; The <u>1348</u> MOTION for Partial Summary Judgment is GRANTED, The Provider Plaintiffs' <u>1350</u> SEALED MOTION for Partial Summary Judgment is GRANTED IN PART AND DENIED IN PART, The <u>1353</u> MOTION for Summary Judgment on Plaintiffs' Section 1, Per Se, and Quick Look Claims is GRANTED IN PART AND DENIED IN PART, The <u>1434</u> SEALED MOTION for Partial Summary Judgment on Defendants' "Single Entity" Defense is DENIED in accordance with the Memorandum Opinion entered contemporaneously herewith. Signed by Judge R David Proctor on 4/5/2018. (JLC) (Entered: 04/05/2018)
04/05/2018	<u>2065</u>		SEALED MOTION – DEFENDANTS' and PROVIDER PLAINTIFFS' Joint Motion regarding costs incurred by Aetna and Humana. (KAM) Modified on 4/9/2018 (KAM,). (Entered: 04/06/2018)
04/09/2018	<u>2066</u>		Joint MOTION for Discovery <i>Re Costs Incurred by Aetna & Humana</i> by Defendants' Counsel. (West, Kimberly) Modified on 10/25/2018 (KAM,). (Entered: 04/09/2018)
04/09/2018	<u>2067</u>		MOTION for Leave to File Excess Pages by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 04/09/2018)
04/09/2018	<u>2068</u>		Opposition to <i>Plaintiffs' Motion to Amend Discovery Order No. 88</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(Malatesta, John) (Entered: 04/09/2018)
04/10/2018	<u>2069</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT EXCELLUS HEALTH PLAN, INC., D/B/A EXCELLUS BLUECROSS BLUESHIELD</i> . (Harwood, R) (Entered: 04/10/2018)
04/10/2018	2070		TEXT ORDER re <u>2066</u> Joint Motion Regarding Costs Incurred by Aetna and Humana. Any responses to the motion are due no later than April 25, 2018. Replies, if any, are due no later than May 2, 2018. Argument is SET for May 17, 2018, at 1:00 p.m. in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, Alabama before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on April 10, 2018. (JTS) (Entered: 04/10/2018)
04/10/2018	<u>2071</u>		***Document Sealed **DEFENDANT BCBS of Alabama's OPPOSITION to plaintiffs' Motion to amend Discovery Order No. 88 (KAM) (Entered: 04/10/2018)

04/11/2018	<u>2072</u>		MOTION for Sanctions <i>Against BCBS–AL for Violation of Discovery Order</i> 76 by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Ragsdale, Barry) (Entered: 04/11/2018)
04/11/2018	<u>2073</u>		MOTION for Protective Order <i>Renewed Motion for Protective Order as to BCBS–AL's Contacts with Putative Class Members</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 – Sealed, # <u>3</u> Exhibit 3 – Sealed, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5 – Sealed, # <u>6</u> Exhibit 6 – Sealed, # <u>7</u> Exhibit 7 – Sealed, # <u>8</u> Exhibit 8 – Sealed, # <u>9</u> Exhibit 9 – Sealed, # <u>10</u> Exhibit 10 – Sealed, # <u>11</u> Exhibit 11 – Sealed, # <u>12</u> Exhibit 12 – Sealed, # <u>13</u> Exhibit 13 – Sealed, # <u>14</u> Exhibit 14 – Sealed, # <u>15</u> Exhibit 15 – Sealed, # <u>16</u> Exhibit 16 – Sealed, # <u>17</u> Exhibit 17 – Sealed, # <u>18</u> Exhibit 18 – Sealed, # <u>19</u> Exhibit 19 – Sealed)(Ragsdale, Barry) (Entered: 04/11/2018)
04/11/2018	<u>2074</u>		SEALED MOTION **SUBSCRIBER AND PROVIDER PLAINTIFFS' MOTION FOR SANCTIONS against BCBA–AL for violation of Discovery Order 76. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(KAM) Modified on 4/12/2018 (KAM,). (Entered: 04/11/2018)
04/11/2018	<u>2075</u>		SEALED MOTION **SUBSCRIBER PLAINTIFFS' Renewed MOTION for PROTECTIVE ORDER as to BCBS–AL's Contacts with Putative Class Members. (Attachments: # <u>1</u> Exhibit 2, # <u>2</u> Exhibit 3, # <u>3</u> Exhibit 5, # <u>4</u> Exhibit 6, # <u>5</u> Exhibit 7, # <u>6</u> Exhibit 8, # <u>7</u> Exhibit 9, # <u>8</u> Exhibit 10, # <u>9</u> Exhibit 11, # <u>10</u> Exhibit 12, # <u>11</u> Exhibit 13, # <u>12</u> Exhibit 14, # <u>13</u> Exhibit 15, # <u>14</u> Exhibit 16, # <u>15</u> Exhibit 17, # <u>16</u> Exhibit 18, # <u>17</u> Exhibit 19)(KAM) Modified on 4/12/2018 (KAM,). (Entered: 04/11/2018)
04/12/2018	2076		TEXT ORDER re <u>2066</u> Joint Motion Regarding Costs Incurred by Aetna and Humana. The Motion Hearing previously set for May 17, 2018, is RESET for May 15, 2018, at 1:00 pm in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, Alabama before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on April 12, 2018. (JTS) (Entered: 04/12/2018)
04/12/2018	2077		TEXT ORDER granting <u>2067</u> BCBS–AL's Motion to Exceed Page Limit. Signed by Magistrate Judge T Michael Putnam on April 12, 2018. (JTS) (Entered: 04/12/2018)
04/12/2018	<u>2078</u>		ORDER granting in part <u>1765</u> Motion to Unseal Document ; The court will provide a copy of the transcript to counsel participating in the conference via e–mail. Within seven (7) days of receipt of the e–mail containing the transcript, any proposed redactions should be provided via e–mail to chambers at proctor_chambers@alnd.uscourts.gov. Despite the granting of the motion, counsel receiving the transcript SHALL NOT allow anyone unnecessary to the redaction process to view the unredacted transcript. The court will thereafter enter an appropriate redacted version of the transcript on the docket.Signed by Judge R David Proctor on 4/12/2018. (KAM) (Entered: 04/12/2018)
04/12/2018	<u>2079</u>		RESPONSE to re <u>2061</u> <i>Plaintiffs' Status Report Regarding Continuing Area of Relevant Discovery</i> filed by Defendants' Counsel. (Zott, David) (Entered: 04/12/2018)

04/12/2018	<u>2080</u>		SEALED MOTION ** PLAINTIFFS' MOTION to COMPEL Production of Documents from certain Defendants' Privilege Logs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit A–T)(KAM) (Entered: 04/12/2018)
04/13/2018	2081		TEXT ORDER re <u>2072</u> Motion for Sanctions Against BCBS–AL for Violation of Discovery Order 76. A response is due no later than April 27, 2018. A reply, if any, is due no later than May 8, 2018. Argument is set for May 15, 2018, at 1:00 p.m. in Courtroom 3B, Hugo L Black US Courthouse, Birmingham, Alabama before Magistrate Judge T Michael Putnam. Signed by Magistrate Judge T Michael Putnam on April 13, 2018. (JTS) (Entered: 04/13/2018)
04/16/2018	<u>2082</u>		MEMORANDUM OPINION. Signed by Judge R David Proctor on 4/16/2018. (KAM) (Entered: 04/16/2018)
04/16/2018	<u>2083</u>		ORDER for the reasons explained in the accompanying Memorandum Opinion, <u>1392</u> Motion for Partial Summary Judgment Regarding Issues Decided in United States v. Anthem is DENIED. Signed by Judge R David Proctor on 4/16/2018. (KAM) (Entered: 04/16/2018)
04/16/2018	<u>2084</u>		***Document Sealed ** PLAINTIFFS' REPLY in Support of Motion to Amend Discovery Order 88 (KAM) (Entered: 04/16/2018)
04/16/2018	<u>2085</u>		MOTION for Certification Under 28 U.S.C. 1292(b) by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum in Support)(Zott, David) (Entered: 04/16/2018)
04/16/2018	<u>2086</u>		STATUS REPORT by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit 1)(Hoover, Craig) (Entered: 04/16/2018)
04/16/2018	<u>2087</u>		STATUS REPORT by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 04/16/2018)
04/17/2018	<u>2088</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Hearing and Status Conference on April 19, 2018</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 04/17/2018)
04/17/2018	<u>2089</u>		STATUS REPORT <i>Regarding Plaintiffs' Refusal to Follow Court–Imposed Limitations on Re–Opened Deposition</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Burkhalter, Carl) (Entered: 04/17/2018)
04/17/2018	<u>2090</u>		***Document Sealed **BCBS Association's RESPONSE to plaintiff's Motion to Compel production of documents from certain defendants' privilege logs (KAM) (Entered: 04/17/2018)
04/17/2018	<u>2091</u>		Opposition to re <u>2069</u> <i>April 10, 2018 Report & Recommendation of Special Master (Redacted)</i> filed by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Schmidt, John) (Entered: 04/17/2018)
04/17/2018	<u>2092</u>		

		NOTICE by Plaintiffs' Liaison Counsel re <u>2069</u> Brief <i>Plaintiffs' Objections to Special Master's Reports and Recommendation on Excellus Privilege Log Samples</i> (Ragsdale, Barry) (Entered: 04/17/2018)
04/17/2018	<u>2093</u>	***Document Sealed **DEFENDANT BCBSAL's STATUS REPORT regarding plaintiffs' refusal to follow court-imposed limitations on re-opened deposition (Attachments: # <u>1</u> Exhibit C, # <u>2</u> Exhibit D, # <u>3</u> Exhibit E) (KAM) (Entered: 04/17/2018)
04/17/2018	<u>2094</u>	***Document Sealed ***DEFENDANT BCBS of North Carolina's RESPONSE to plaintiffs' Motion to Compel production of documents from certain defendants' privilege logs (KAM) (Entered: 04/17/2018)
04/17/2018	<u>2095</u>	RESPONSE to <i>Plaintiffs' Motion to Compel Production of Documents from Certain Defendants' Privilege Logs</i> filed by Blue Cross and Blue Shield of Alabama. (Malatesta, John) (Entered: 04/17/2018)
04/17/2018	<u>2096</u>	***Document Sealed **Excellus' OBJECTION to the 4/10/2018 REPORT & RECOMMENDATION of the Special Master (KAM) (Entered: 04/17/2018)
04/17/2018	<u>2097</u>	***Document Sealed **DEFENDANT CAPITAL BLUECROSS RESPONSE to plaintiffs' motion to compel production of documents from certain defendants' privilege logs (Attachments: # <u>1</u> Exhibit) (KAM) (Entered: 04/17/2018)
04/18/2018	2098	TEXT ORDER —This matter is before the court on Subscriber Plaintiffs' Renewed Motion for a Protective Order as to BCBS—AL's Contacts with Putative Class Members. <u>2073</u> . Any response to the Motion <u>2073</u> is due on or before April 27, 2018 ; any reply is due on or before May 9, 2018 . Signed by Judge R David Proctor on 4/18/2018. (KAM) (Entered: 04/18/2018)
04/18/2018	<u>2099</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT ANTHEM, INC.</i> . (Harwood, R) (Additional attachment(s) added on 4/18/2018: # <u>1</u> Exhibit Unredacted Brief) (PSM,). (Entered: 04/18/2018)
04/18/2018	<u>2100</u>	NOTICE by Defendants' Counsel re <u>2086</u> Status Report (Kimble, Cavender) (Entered: 04/18/2018)
04/18/2018	<u>2101</u>	STATUS REPORT <i>Regarding Pending Issues In Light of April 5, 2018 Ruling (Provider Plaintiffs) (Redacted)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22)(Whatley, Joe) (Entered: 04/18/2018)
04/18/2018	<u>2102</u>	STATUS REPORT <i>on Privilege Logs</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 04/18/2018)
04/18/2018	<u>2103</u>	***Document Sealed *** PROVIDER PLAINTIFFS' STATUS REPORT regarding pending issues in light of 4/5/2018 Ruling (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u>

		Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11-1, # <u>12</u> Exhibit 11-2, # <u>13</u> Exhibit 11-3, # <u>14</u> Exhibit 11-4, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21, # <u>25</u> Exhibit 22) (KAM) (Entered: 04/18/2018)
04/18/2018	<u>2104</u>	***Document Sealed*** DEFENDANT BCBS of Alabama's RESPONSE to Plaintiffs' Motion to Compel production of documents from certain defendants' privilege logs (KAM) (Entered: 04/18/2018)
04/18/2018	<u>2105</u>	RESPONSE to re <u>2089</u> BCBSAL's Status Report Regarding Plaintiffs' Refusal to Follow Court-Imposed Limitations on Re-Opened Deposition filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 04/18/2018)
04/19/2018		Minute Entry for proceedings held before Judge R David Proctor: Motion Hearing held on 4/19/2018 re <u>1961</u> SEALED MOTION. (Court Reporter Leah Turner.) (KLL) (Entered: 04/19/2018)
04/19/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 4/19/2018: re <u>2036</u> , <u>2061</u> , <u>2089</u> ; oral argument by counsel; court's remarks; hrg adj. (Court Reporter Leah Turner) (ASL) (Entered: 04/19/2018)
04/20/2018	<u>2106</u>	RESPONSE to re <u>2092</u> of Excellus to Plaintiff's Objection to the Special Master's 4.10.18 Report & Recommendation (Redacted) filed by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Schmidt, John) (Entered: 04/20/2018)
04/20/2018	<u>2107</u>	***Document Sealed*** DEFENDANT Excellus" RESPONSE to plaintiffs' objection to the Special Master's 4/10/2018 Report and Recommendation <u>2069</u> (KAM) (Entered: 04/20/2018)
04/20/2018	2108	TEXT ORDER This matter is before the court on Defendants' Motion for Certification under 28 U.S.C. § 1292(b). <u>2085</u> Any response from Plaintiffs is due on or before April 25, 2018. Any reply from Defendants is due on or before April 30, 2018. Signed by Judge R David Proctor on 4/20/2018. (KAM) (Entered: 04/20/2018)
04/20/2018	2109	TEXT ORDER —This matter is before the court on Plaintiffs Motion to Amend Order Appointing Privilege Master. <u>1763</u> For the reasons discussed on the record in open court on April 19, 2018, the Motion <u>1961</u> is DENIED WITHOUT PREJUDICE . Signed by Judge R David Proctor on 4/20/2018. (KAM) (Entered: 04/20/2018)
04/23/2018	<u>2110</u>	Transcript of Proceedings held on April 19, 2018, before Judge R David Proctor. Court Reporter/Transcriber Leah S Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction

		Request due 5/14/2018. Redacted Transcript Deadline set for 5/24/2018. Release of Transcript Restriction set for 7/22/2018. (SAC) (Entered: 04/23/2018)
04/23/2018	<u>2111</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT The court has reviewed the application, and finds it to be fair and reasonable. The court ORDERS that the Special Master's application for payment is approved, with: (i) one-half, or \$2,500.00, to be paid by the Defendants; and (ii) one-fourth, or \$1,250.00, to be paid by the Subscriber Track, and one-fourth, or \$1,250.00, to be paid by the Provider Track, from their Common Benefit monies. The Court reserves the power to modify the terms of this order. Signed by Judge R David Proctor on 4/23/18. (SAC) (Entered: 04/23/2018)
04/23/2018	<u>2112</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT The court has reviewed the application, and finds it to be fair and reasonable. The court ORDERS that the Special Master's application for payment is approved, with one-half of the billing for common projects, plus the billing that's specific only to subscriber Track projects, or \$32,500.00, to be paid by the Subscriber Track and one-half of the billing for common projects, plus the billing that's specific only to Provider Track projects, or \$22,500.00, to be paid by the Provider Track, from their Common Benefit monies. The court reserves the power to modify the terms of this order. Signed by Judge R David Proctor on 4/23/18. (SAC) (Entered: 04/23/2018)
04/23/2018	<u>2113</u>	MODIFICATION to DISCOVERY ORDER No. 88– The motion <u>2036</u> is GRANTED IN PART and DENIED IN PART. The motion is GRANTED insofar as the depositions of Kellogg and Stone are held in abeyance until June 22, 2018. The motion is DENIED WITHOUT PREJUDICE insofar as the plaintiffs seek to amend Discovery Order No. 88 to expand the length and scope of the depositions. Plaintiffs may file a renewed motion to amend Discovery Order No. 88 at the conclusion of the abeyance period, explaining in detail the grounds supporting the plaintiffs' requested relief regarding the length and scope of the depositions. Signed by Magistrate Judge T Michael Putnam on 4/23/18. (SAC) (Entered: 04/23/2018)
04/24/2018	<u>2114</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT PREMERA</i> . (Harwood, R) (Entered: 04/24/2018)
04/24/2018	<u>2115</u>	Transcript of Proceedings held on April 19, 2018, before Judge T Michael Putnam. Court Reporter/Transcriber Leah Turner/ Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/15/2018. Redacted Transcript Deadline set for 5/25/2018. Release of Transcript Restriction set for 7/23/2018. (Attachments: # <u>1</u>

		Certificate) (SAC) (Entered: 04/24/2018)
04/24/2018	<u>2116</u>	STATUS REPORT BCBSAL's <i>Justifications to Maintain Seal on Exhibits C and E to its Status Report Regarding Plaintiffs' Refusal to Follow Court-Imposed Limitations on Re-Opened Deposition</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 04/24/2018)
04/25/2018	<u>2117</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT ANTHEM, INC.</i> . (Harwood, R) (Additional attachment(s) added on 4/25/2018: # <u>1</u> Exhibit Unredacted Brief) (PSM,). (Entered: 04/25/2018)
04/25/2018	<u>2118</u>	Transcript of Proceedings held on 4/19/2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Leah Turner/Teresa Roberson. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/16/2018. Redacted Transcript Deadline set for 5/26/2018. Release of Transcript Restriction set for 7/24/2018. (Attachments: # <u>1</u> CR certification) (KAM) (Entered: 04/25/2018)
04/25/2018	<u>2119</u>	ORDER REGARDING EXCELLUS HEALTH PLAN, INC. d/b/a EXCELLUS BLUECROSS BLUESHIELDS SAMPLE DOCUMENTS – Document EXCELLUS_PL_00000470 – Objection overruled. Ruling: Privilege claim upheld; Document EXCELLUS_PL_00000484 – Objection sustained. Ruling: Privilege claim upheld; Document EXCELLUS_PL_00000485 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 4/25/2018. (KAM) (Entered: 04/25/2018)
04/25/2018	<u>2120</u>	MOTION for Partial Summary Judgment <i>Against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association (Provider Plaintiffs)</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 04/25/2018)
04/25/2018	<u>2121</u>	ORDER REGARDING RULE 5.2 – the request contained in <u>2116</u> is GRANTED IN PART; Pursuant to Federal Rule of Civil Procedure 5.2(d), BCBS–AL is ORDERED to file redacted versions of Documents 2093–1 and 2093–3 on the public docket; absent a contrary order of the court in a particular circumstance, the court SUSPENDS the operation of Rule 5.2(d) in this MDL. Counsel in this MDL SHALL NOT file under seal any documents that merely require redaction, particularly where redaction will not obscure the substance of the document. Signed by Judge R David Proctor on 4/25/2018. (KAM) (Entered: 04/25/2018)
04/25/2018	<u>2122</u>	

		RESPONSE in Opposition re <u>2085</u> MOTION for Certification Under 28 U.S.C. 1292(b) (<i>Provider Plaintiffs</i>) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 04/25/2018)
04/25/2018	<u>2123</u>	Joint MOTION Reimbursement of Costs and Fees re <u>2062</u> Joint MOTION for Discovery <i>Re Costs Incurred by Aetna & Humana</i> by AETNA, Inc., Humana Inc.. (Attachments: # <u>1</u> Exhibit 1 – Subpoena, # <u>2</u> Exhibit 2 – Letter, # <u>3</u> Exhibit 3 – Letter, # <u>4</u> Exhibit 4 – Letter, # <u>5</u> Exhibit 5 – Letter, # <u>6</u> Exhibit 6 – Letter, # <u>7</u> Exhibit 7 – Letter, # <u>8</u> Exhibit 8 – Letter, # <u>9</u> Exhibit 9 – Letter, # <u>10</u> Exhibit 10 – Letter, # <u>11</u> Exhibit 11 – Letter, # <u>12</u> Exhibit 12 – Letter, # <u>13</u> Exhibit 13 – Letter, # <u>14</u> Exhibit 14 – Email, # <u>15</u> Exhibit 15 – Email, # <u>16</u> Exhibit 16 – Email, # <u>17</u> Exhibit 17 – Email, # <u>18</u> Exhibit 18 – Email, # <u>19</u> Exhibit 19 – Email, # <u>20</u> Exhibit 20 – Email, # <u>21</u> Exhibit 21 – Letter, # <u>22</u> Exhibit 22 – Email, # <u>23</u> Exhibit 23 – Email, # <u>24</u> Exhibit 24 – Email, # <u>25</u> Exhibit 25 – Letter, # <u>26</u> Exhibit 26 – Letter, # <u>27</u> Exhibit 27 – Fee Application, # <u>28</u> Exhibit 28 – Fee Application)(Weyman, Benjamin) Modified on 10/25/2018 (KAM,). (Entered: 04/25/2018)
04/25/2018	<u>2124</u>	RESPONSE in Opposition re <u>2085</u> MOTION for Certification Under 28 U.S.C. 1292(b) filed by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 04/25/2018)
04/25/2018	<u>2125</u>	STATUS REPORT <i>BCBSAL's Justifications to Maintain Seal and Redactions on Certain Portions of Subscriber Plaintiffs' Renewed Motion for Protective Order and Certain Accompanying Exhibits</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 04/25/2018)
04/26/2018	<u>2126</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HEALTH CARE SERVICE CORPORATION AND CARING FOR MONTANANS, INC.</i> . (Harwood, R) (Entered: 04/26/2018)
04/27/2018	<u>2127</u>	Opposition to re <u>2074</u> <i>Plaintiffs' Motion for Sanctions Against BCBS–AL for Violation of Discovery Order 76</i> filed by Defendants' Counsel. (Zott, David) (Entered: 04/27/2018)
04/27/2018	<u>2128</u>	MOTION for Leave to File Excess Pages by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 04/27/2018)
04/27/2018	<u>2129</u>	Opposition to <i>Plaintiffs' Motion for Sanctions for Violation of Discovery Order No. 76</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Burkhalter, Carl) (Entered: 04/27/2018)
04/27/2018	<u>2130</u>	Opposition to <i>Subscriber Plaintiffs' Renewed Motion for Protective Order as to BCBSAL's Contacts with Punative Class Members</i> filed by Blue Cross and Blue Shield of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Burkhalter, Carl) (Entered: 04/27/2018)
04/29/2018	<u>2131</u>	RESPONSE in Opposition re <u>2128</u> MOTION for Leave to File Excess Pages filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 04/29/2018)

04/30/2018	<u>2132</u>		TEXT ORDER This matter is before the court on an informal request from Defendants' counsel for an enlargement to 20 pages for their consolidated reply to Plaintiffs' separate oppositions to their Motion for Certification under 28 U.S.C. § 1292(b). <u>2085</u> The court understands that Defendants' counsel reached out to Plaintiffs' counsel, who do not oppose this request. Therefore, the request is GRANTED . Signed by Judge R David Proctor on 4/29/2018. (KAM) (Entered: 04/30/2018)
04/30/2018	<u>2133</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE SHIELD OF CALIFORNIA</i> . (Harwood, R) (Additional attachment(s) added on 4/30/2018: # <u>1</u> Unredacted R&R) (KAM,). (Entered: 04/30/2018)
04/30/2018	<u>2134</u>		RESPONSE in Support re <u>2128</u> MOTION for Leave to File Excess Pages filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A)(Burkhalter, Carl) (Entered: 04/30/2018)
04/30/2018	<u>2135</u>		***Document Sealed *** DEFENDANT BCBS Alabama's OPPOSITION to Plaintiffs' Motion for Sanctions for violation of Discovery Order No. 76 (KAM) (Entered: 04/30/2018)
04/30/2018	<u>2136</u>		***Document Sealed *** DEFENDANT BCBS of Alabama's OPPOSITION to Subscriber Plaintiffs' RENEWED MOTION for Protective Order as to BCBSAL's contacts with putative class members (Attachments: # <u>1</u> Exhibit C, # <u>2</u> Exhibit D, # <u>3</u> Exhibit E, # <u>4</u> Exhibit G) (KAM) (Entered: 04/30/2018)
04/30/2018	<u>2137</u>		ORDER The Seal Team is ORDERED to meet with Judge Harwood on May 15, 2018, at 11:00 a.m. in Courtroom 3B, Hugo L. Black US Courthouse, Birmingham, Alabama. Court reporter to be present. Signed by Magistrate Judge T Michael Putnam on 4/30/2018. (KAM) (Entered: 04/30/2018)
04/30/2018	<u>2138</u>		THIRD AMENDMENT TO DISCOVERY ORDER No. 76 as set out in this order. Signed by Magistrate Judge T Michael Putnam on 4/29/2018. (KAM) (Entered: 04/30/2018)
04/30/2018	<u>2139</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>2085</u> MOTION for Certification Under 28 U.S.C. 1292(b) filed by Defendants' Counsel. (Zott, David) (Entered: 04/30/2018)
05/01/2018	<u>2140</u>		NOTICE SUBSCRIBER PLAINTIFFS NOTICE OF FILING REDACTED DOCUMENTS re <u>1436</u> Document Sealed,,,,,,,,, <u>1352</u> Document Sealed,,,,,,,,,,,,,,,,, of <i>Filing Redacted Excerpts of Certain Sealed Exhibits</i> (Attachments: # <u>1</u> A – Leahey Tr., # <u>2</u> B – Hedges Tr., # <u>3</u> C – Wilson Tr., # <u>4</u> D – Carter Tr., # <u>5</u> E – Putziger Tr., # <u>6</u> F – Murphy Tr., # <u>7</u> G – Rotunno Tr., # <u>8</u> H – Serota Tr., # <u>9</u> I – Serota2 Tr., # <u>10</u> J – Carden Tr., # <u>11</u> K – Kellogg Tr., # <u>12</u> L – Swedish Tr., # <u>13</u> M – Anthem Tr.)(Stokes, Tammy) Modified on 5/2/2018 (KAM,). (Entered: 05/01/2018)
05/01/2018	<u>2141</u>		RESPONSE to re <u>2114</u> Plaintiffs' <i>Objections to Special Master's Reports and Recommendation on Premera Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 05/01/2018)
05/01/2018	<u>2142</u>		ORDER This case is before the court on Defendant Blue Cross and Blue Shield of Alabamas Motion to Exceed Page Limit. <u>2128</u> . Plaintiffs oppose the motion. <u>2131</u> . The motion, which concerns a brief filed in opposition to a

			request for discovery sanctions, is properly before Judge Putnam and will not be ruled upon in this order. Nevertheless, the rancorous briefing regarding this motion compels the court to weigh in on this current chapter of the parties discovery soap opera as set out in this order; the court leaves it to Judge Putnam to address this motion. Signed by Judge R David Proctor on 5/1/2018. (KAM) (Entered: 05/01/2018)
05/01/2018	<u>2143</u>		***Document Sealed *** PLAINTIFFS' OBJECTIONS to Special Master's Report and Recommendation <u>2114</u> on Premera's privilege log samples (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 05/01/2018)
05/02/2018	2144		TEXT ORDER —This matter is before the court on Provider Plaintiffs Motion for Partial Summary Judgment. <u>2120</u> Any responses to the Motion are due on or before June 26, 2018 . Any replies are due on or before July 26, 2018 . Signed by Judge R David Proctor on 5/2/2018. (KAM) (Entered: 05/02/2018)
05/02/2018	<u>2145</u>		RESPONSE in Support re <u>2123</u> Joint MOTION Reimbursement of Costs and Fees re <u>2062</u> Joint MOTION for Discovery <i>Re Costs Incurred by Aetna & Humana jointly filed by Provider Plaintiffs and</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(West, Kimberly) (Entered: 05/02/2018)
05/02/2018	<u>2146</u>		***Document Sealed*** DEFENDANTS1 AND PROVIDER PLAINTIFFS JOINT REPLY IN SUPPORT OF MOTION REGARDING COSTS INCURRED BY AETNA AND HUMANA (KAM) (Entered: 05/02/2018)
05/02/2018	<u>2147</u>		NOTICE by Blue Cross and Blue Shield of Alabama <i>Notice of Filing Pursuant to Order Regarding Rule 5.2</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Burkhalter, Carl) (Entered: 05/02/2018)
05/02/2018	<u>2148</u>		STATUS REPORT <i>BCBSAL's Justifications to Maintain Seal and Redactions on Provider Plaintiffs' Status Report Regarding Pending Issues in Light of April 5, 2018 Ruling and Certain Accompanying Exhibits</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 05/02/2018)
05/03/2018	<u>2149</u>		REDACTED Transcript of Proceedings held on 11/13/2017, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/24/2018. Redacted Transcript Deadline set for 6/3/2018. Release of Transcript Restriction set for 8/1/2018. (KAM) (Entered: 05/03/2018)
05/04/2018	<u>2150</u>		***Document Sealed*** PREMERA BLUE CROSS RESPONSE TO PLAINTIFFS OBJECTION TO THE SPECIAL MASTERS APRIL 24, 2018 REPORT & RECOMMENDATION (Attachments: # <u>1</u> Exhibit A) (KAM)

		(Entered: 05/04/2018)
05/07/2018	<u>2151</u>	ORDER granting <u>2128</u> Motion for Leave to File Excess Pages. Signed by Magistrate Judge T Michael Putnam on 5/7/2018. (KAM) (Entered: 05/07/2018)
05/07/2018	<u>2152</u>	RESPONSE to re <u>2133</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Blue Shield of California Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1)(Ragsdale, Barry) (Entered: 05/07/2018)
05/07/2018	<u>2153</u>	***Document Sealed*** PLAINTIFFS' OBJECTIONS TO SPECIAL MASTER'SREPORT AND RECOMMENDATION ON BLUE SHIELD OFCALIFORNIA PRIVILEGE LOG SAMPLES (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 05/07/2018)
05/07/2018	<u>2154</u>	STATUS REPORT <i>Concerning Personally Identifiable Information Contained in Sealed Exhibit to its Opposition to Subscribers' Renewed Motion for Protective Order</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 05/07/2018)
05/08/2018	<u>2155</u>	STATUS REPORT <i>Concerning Justifications to Maintain Seals and Redactions on Certain Portions of Subscriber Plaintiffs' Renewed Motion for Protective Order and Certain Accompanying Exhibits</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Burkhalter, Carl) (Entered: 05/08/2018)
05/08/2018	<u>2156</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2127</u> Opposition (other), <u>2129</u> Opposition (other), <i>Plaintiffs' Consolidated Reply In Support of Motion for Sanctions Against BCBS-AL for Violation of Discovery Order 76</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit J)(Whatley, Joe) (Entered: 05/08/2018)
05/08/2018	<u>2157</u>	MOTION for Oral Argument re <u>2085</u> MOTION for Certification Under 28 U.S.C. 1292(b) by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 05/08/2018)
05/09/2018	<u>2158</u>	ORDER REGARDING PREMERA BLUE CROSS SAMPLE DOCUMENTS – Document Premera–Incamera–000113; Objection: sustained in part. Ruling: Privilege claim upheld in part and unsubstantiated in part. Signed by Judge R David Proctor on 5/9/2018. (KAM) (Entered: 05/09/2018)
05/09/2018	<u>2159</u>	ORDER– re: Motion for Certification <u>2085</u> , on or before 5/24/2018, parties SHALL each file a report, limited to twenty pages, addressing in detail what issues (evidentiary or legal) in their class certification motions or responses should be differently analyzed if the court, contrary to its rulings previously, were to apply (1) the rule of reason standard of review to Plaintiffs claims regarding the aggregation of ESAs and National Best Efforts or (2) the per se standard of review to Plaintiffs claims regarding Blue Card.1The Clerk of the Court is directed to ADMINISTRATIVELY TERMINATE Plaintiffs Motion for Oral Argument. <u>2157</u> .Signed by Judge R David Proctor on 5/9/2018. (KAM) (Entered: 05/09/2018)
05/09/2018	<u>2160</u>	

			REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2073</u> MOTION for Protective Order <i>Renewed Motion for Protective Order as to BCBS-AL's Contacts with Putative Class Members</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 05/09/2018)
05/09/2018	<u>2161</u>		***Document Sealed*** REPLY MEMORANDUM IN SUPPORT OF SUBSCRIBER PLAINTIFFS RENEWED MOTION FOR A PROTECTIVE ORDER AS TO CLASS MEMBER CONTACTS (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 05/09/2018)
05/10/2018	<u>2162</u>		MOTION to Compel <i>Production of Documents From Certain Defendants' Privilege Logs</i> by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit A-I)(Ragsdale, Barry) (Entered: 05/10/2018)
05/10/2018	<u>2163</u>		***Document Sealed*** CALIFORNIA PHYSICIANS SERVICE INC.S RESPONSE TO PLAINTIFFS OBJECTION TO THE SPECIAL PRIVILEGE MASTERS APRIL 30, 2018 REPORT & RECOMMENDATION (KAM) (Entered: 05/10/2018)
05/10/2018	<u>2164</u>		***Document Sealed*** PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM CERTAIN DEFENDANTS' PRIVILEGE LOGS (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit A-I) (KAM) (Entered: 05/10/2018)
05/11/2018	<u>2165</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HEALTH CARE SERVICE CORPORATION AND CARING FOR MONTANANS, INC.</i> . (Harwood, R) (Entered: 05/11/2018)
05/11/2018	<u>2166</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HEALTH NOW NEW YORK INC.</i> . (Harwood, R) (Entered: 05/11/2018)
05/14/2018	<u>2167</u>		ORDER REGARDING BLUE SHIELD OF CALIFORNIA'S SAMPLE DOCUMENTS – Document BCBS-002137601; Objection overruled. Ruling: Privilege claim upheld. Document BCBS-006567335; Objection sustained. Ruling: Privilege claim unsubstantiated. Document BOX10-0002452; Objection overruled. Ruling: Privilege claim upheld. Document SHRDN_PAPER-0136365; Objection overruled. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 5/14/2018. (KAM) (Entered: 05/14/2018)
05/15/2018	<u>2168</u>		***Document Sealed*** CERTAIN DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION TO COMPEL (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5A, # <u>6</u> Exhibit 5B, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8) (KAM) (Entered: 05/15/2018)
05/15/2018			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Motion Hearing held on 5/15/2018; Privilege Master's Update; Motions <u>2066</u> & <u>2074</u> , argument by counsel; court's remarks; hrg adj (Court Reporter Leah Turner) (ASL) (Entered: 05/15/2018)
05/16/2018	<u>2169</u>		RESPONSE to re <u>2148</u> <i>Blue Cross and Blue Shield of Alabama's Justifications to Maintain Seals and Redactions on Certain Portions of</i>

			<i>Provider Plaintiffs' Status Report Regarding Pending Issues In Light of April 5, 2018 Ruling and Certain Accompanying Exhibits (Provider Plaintiffs)</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 05/16/2018)
05/18/2018	<u>2170</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT ANTHEM, INC.</i> . (Harwood, R) (Additional attachment(s) added on 5/18/2018: # <u>1</u> Unredacted R&R) (KAM,). (Entered: 05/18/2018)
05/18/2018	<u>2171</u>		***Document Sealed*** OBJECTION OF HEALTHNOW NEW YORK TO SPECIAL MASTER REPORT AND RECOMMENDATION (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D-1, # <u>5</u> Exhibit D-2, # <u>6</u> Exhibit D-3) (KAM) (Entered: 05/18/2018)
05/18/2018	<u>2172</u>		RESPONSE to re <u>2165</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on HCSC Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 05/18/2018)
05/21/2018	<u>2173</u>		ORDER before the court is Defts and Providers Joint Motion Regarding Costs Incurred by Aetna and Humana <u>2066</u> ; Aetna and Humana are ORDERED to submit their outside counsels detailed time sheets no later than June 4, 2018; to the extent time sheets exist for the contract attorneys review, Aetna and Humana are ORDERED to submit those time sheets no later than June 4, 2018, as well. Signed by Magistrate Judge T Michael Putnam on 5/21/2018. (KAM) (Entered: 05/21/2018)
05/21/2018	<u>2174</u>		RESPONSE to re <u>2172</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on HCSC Privilege Log Samples</i> filed by Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc., Health Care Service Corporation. (Zeiger, Jeffrey) (Entered: 05/21/2018)
05/22/2018	<u>2175</u>		ORDER REGARDING HEALTHNOW NEW YORK'S SAMPLE DOCUMENTS – Document HN–PL00002623 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 5/22/2018. (KAM) (Entered: 05/22/2018)
05/22/2018	<u>2176</u>		ORDER REGARDING HCSCS SAMPLE DOCUMENTS – Document CNTRL 08955649 – Plaintiffs objection regarding this document is MOOT. Document HCSC–E005 205137 – Plaintiffs objection regarding this document is MOOT. Signed by Judge R David Proctor on 5/22/2018. (KAM) (Entered: 05/22/2018)
05/22/2018	<u>2177</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 4/1/2018 through 4/30/2018 as it relates to both sides and totaling \$10,000.00. Signed by Judge R David Proctor on 5/22/2018. (KAM) (Entered: 05/22/2018)
05/22/2018	<u>2178</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 4/1/2018 through 4/30/2018 relating solely to the services provided to the plaintiffs and totaling \$54,000.00. Signed by Judge R David Proctor on 5/22/2018. (KAM) (Entered: 05/22/2018)
05/22/2018	<u>2179</u>		Transcript of Proceedings held on 5/15/2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Leah S. Turner, Telephone number

		<p>205–278–1780. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/12/2018. Redacted Transcript Deadline set for 6/22/2018. Release of Transcript Restriction set for 8/20/2018. (JLC) (Entered: 05/22/2018)</p>
05/24/2018	<u>2180</u>	<p>STATUS REPORT <i>Regarding Privilege Log Challenges</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 05/24/2018)</p>
05/24/2018	<u>2181</u>	<p>***Document Sealed*** Provider Plaintiffs' Memorandum regarding the effect of the standard of review on class certification of plaintiffs' Section 1 claims (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (KAM) (Entered: 05/24/2018)</p>
05/24/2018	<u>2182</u>	<p>RESPONSE to the Court's May 9, 2018 Order filed by Defendants' Counsel. (Zott, David) (Entered: 05/24/2018)</p>
05/24/2018	<u>2183</u>	<p>Brief <i>Provider Plaintiffs' Memorandum Regarding the Effect of the Standard of Review on Class Certification of Plaintiffs' Section 1 Claims (Redacted)</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Whatley, Joe) (Entered: 05/24/2018)</p>
05/24/2018	<u>2184</u>	<p>RESPONSE to re <u>2159</u> <i>Subscriber Plaintiffs' Statement Regarding the Antitrust Standard of Review and Class Certification</i> filed by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 05/24/2018)</p>
05/25/2018	<u>2185</u>	<p>RESPONSE to re <u>2170</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Anthem, Inc. Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 05/25/2018)</p>
05/25/2018	<u>2186</u>	<p>Opposition to re <u>2170</u> <i>Report & Recommendation of Special Privilege Master Regarding Anthem, Inc. Sample Documents</i> filed by Anthem, Inc.. (Attachments: # <u>1</u> Exhibit A – Umstead Declaration)(Cohen, Lucile) (Entered: 05/25/2018)</p>
05/25/2018	<u>2187</u>	<p>Consent MOTION for Extension of Time to <i>File Response to Plaintiffs' Objections to the Special Privilege Master's Report and Recommendation on Anthem, Inc.'s Sample Documents</i> by Anthem, Inc.. (Cohen, Lucile) (Entered: 05/25/2018)</p>
05/25/2018	2188	<p>TEXT ORDER This case is before the court on Defendant Anthem, Inc.'s Consent Motion to Extend the Parties' Deadline for Filing Responses to Objections to the Special Master's Report and Recommendation on Anthem, Inc.'s Privilege Log Samples. <u>2187</u> For good cause shown, Anthem's Motion <u>2187</u> is GRANTED. The parties MAY file responses to the objections to Judge Harwood's Report and Recommendation on Anthem's privilege log</p>

			samples on or before 12:00 p.m. CDT on June 1, 2018 . Signed by Judge R David Proctor on 5/25/2018. (JLC) (Entered: 05/25/2018)
05/30/2018	<u>2189</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY</i> . (Harwood, R) (Entered: 05/30/2018)
06/01/2018	<u>2190</u>		RESPONSE to re <u>2185</u> <i>Plaintiffs' Objections to Special Privilege Master's Report and Recommendation</i> filed by Anthem, Inc.. (Cohen, Lucile) (Entered: 06/01/2018)
06/01/2018	<u>2191</u>		NOTICE of Appearance by Susan Smelcer on behalf of Defendants' Counsel (Smelcer, Susan) (Entered: 06/01/2018)
06/04/2018	<u>2192</u>		MOTION for Leave to File <i>Supplemental Brief in Support of Motion for Sanctions Against BCBS-AL for Violation of Discovery Order No. 76 (Opposed)</i> by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 06/04/2018)
06/05/2018	<u>2193</u>		RESPONSE to <i>Plaintiffs' June 4, 2018 Motion to File Supplemental Brief</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 06/05/2018)
06/06/2018	2194		TEXT ORDER denying <u>2192</u> Motion for Leave to File Supplemental Brief in Support of Motion for Sanctions. Signed by Magistrate Judge T Michael Putnam on June 6, 2018. (JTS) (Entered: 06/06/2018)
06/06/2018	<u>2195</u>		ORDER REGARDING ANTHEMS SAMPLE DOCUMENTS – Documents WLP–05997745, WLP–07314205, WLP–06293872, and WLP–06849240; in response to Plaintiffs Objections, Anthem notes that it either has already produced, or agree to produce, these four documents <u>2190</u> ; objections regarding these documents are MOOT. Document WLP–07831263 – objection overruled. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 6/6/2018. (KAM) (Entered: 06/06/2018)
06/07/2018	<u>2196</u>		ORDER UNSEALING CERTAIN DOCUMENTS. Signed by Judge R David Proctor on 6/7/2018. (KAM) (Entered: 06/07/2018)
06/07/2018	<u>2197</u>		STATUS REPORT <i>Regarding Discovery Order No. 83</i> by Anthem, Inc.. filed by Anthem, Inc. (Hoover, Craig) (Entered: 06/07/2018)
06/08/2018	<u>2198</u>		ORDER Status Conference set for 6/28/2018 09:00 AM in Courtroom 7A before Judge R David Proctor. The Special Master will provide a call-in number for the conference. On or before Friday, 6/22/2018, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 6/8/2018. (KAM) (Entered: 06/08/2018)
06/08/2018	2199		TEXT ORDER. The Status Conference set by Discovery Order No. 1 (doc. 229) shall be held on June 28, 2018, at 1:00 PM in Courtroom 3B, Hugo L. Black US Courthouse, Birmingham, Alabama, before Magistrate Judge T Michael Putnam. Court reporter to be present. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. Signed by Magistrate Judge T Michael Putnam on June 8, 2018. (JTS) (Entered: 06/08/2018)

06/08/2018	<u>2200</u>		TEXT ORDER —This matter is SET for a telephone conference at 10:00 a.m. on Monday, June 11, 2018 , to briefly discuss matters related to Defendants Motion for Certification under 28 U.S.C. § 1292(b). [Doc. # 2085] A court reporter will be present. The Special Master will provide a call in number for the conference. Signed by Judge R David Proctor on 6/8/2018. (KAM) (Entered: 06/08/2018)
06/11/2018	<u>2201</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HIGHMARK, INC.</i> . (Harwood, R) (Additional attachment(s) added on 6/11/2018: # <u>1</u> Supplement Unredacted R&R) (PSM,). (Entered: 06/11/2018)
06/11/2018			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 6/11/2018. (Court Reporter Leah Turner.) (KLL) (Entered: 06/11/2018)
06/12/2018	<u>2202</u>		MEMORANDUM OPINION REGARDING CERTIFICATION UNDER 28 U.S.C. § 1292(b). Signed by Judge R David Proctor on 6/12/2018. (KAM) (KAM,). (Entered: 06/12/2018)
06/12/2018	<u>2203</u>		ORDER REGARDING CERTIFICATION UNDER 28 U.S.C. § 1292(b) AND AMENDED ORDER REGARDING SECTION 1 STANDARD OF REVIEW; in accordance with the accompanying Memorandum Opinion, granting <u>2085</u> Motion for Certification under 28 U.S.C. § 1292(b); The courts April 5, 2018 Order Regarding Section 1 Standard of Review and Single Entity Defense is AMENDED as set out in this order. Signed by Judge R David Proctor on 6/12/2018. (KAM) (Entered: 06/12/2018)
06/12/2018	<u>2204</u>		Transcript of Proceedings held on 6/11/2018, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/3/2018. Redacted Transcript Deadline set for 7/13/2018. Release of Transcript Restriction set for 9/10/2018. (KAM,) (Entered: 06/12/2018)
06/13/2018	<u>2205</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT WELLMARK BLUE CROSS AND BLUE SHIELD</i> . (Harwood, R) (Entered: 06/13/2018)
06/14/2018	<u>2206</u>		STATUS REPORT <i>regarding Provider Plaintiffs' Justifications to Maintain Seal on Exhibit LLLL to Their Response to Defendants' Motion for Summary Judgment</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 06/14/2018)
06/14/2018	<u>2207</u>		

		ORDER re Status Conference previously set for Thursday, June 28, 2018, it is hereby RE-SET for 9:00 a.m. on Thursday, August 30, 2018, in Courtroom 7A of the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama. On or before Friday, August 24, 2018, the parties SHALL submit a Joint Report containing a proposed agenda of items the parties wish to be addressed during the Status Conference. Signed by Judge R David Proctor on 6/14/2018. (JLC,) (Entered: 06/14/2018)
06/14/2018	<u>2208</u>	STATUS REPORT <i>Regarding Privilege Log Challenges</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 06/14/2018)
06/15/2018	<u>2209</u>	ORDER re Status Conference previously set for Thursday, June 28, 2018, it is hereby RE-SET for 1:00 p.m. on Thursday, August 30, 2018, in Courtroom 3B of the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama before Magistrate Judge T Michael Putnam. Furthermore, the parties are DIRECTED to submit a Joint Report by August 27, 2018, proposing limited Discovery Deadlines and procedures in order to complete any fact Discovery that is necessary as a result of the sampling process's conclusion. Signed by Magistrate Judge T Michael Putnam on 6/15/2018. (JLC) (Entered: 06/15/2018)
06/18/2018	<u>2210</u>	***Document Sealed*** Highmark Inc's OBJECTION to 6/11/2018 Report and Recommendation of Special Master (KAM) (Entered: 06/18/2018)
06/18/2018	<u>2211</u>	RESPONSE to re <u>2201</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Highmark, Inc.</i> filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 06/18/2018)
06/21/2018	<u>2212</u>	***Document Sealed*** HIGHMARK INC.S RESPONSE TO PLAINTIFFS OBJECTIONS TOJUNE 11, 2018 REPORT & RECOMMENDATION OF SPECIAL MASTER (KAM) (Entered: 06/21/2018)
06/21/2018	<u>2213</u>	RESPONSE to <i>Plaintiffs' Response To Highmark Objections To Special Masters Report And Recommendation On Highmark, Inc.</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 06/21/2018)
06/22/2018	<u>2214</u>	ORDER REGARDING HIGHMARKS SAMPLE DOCUMENTS – Document HMK019816091_001 – Objection sustained. Ruling: Privilege claim upheld; Document HMK019592573_0001 – Objection sustained. Ruling: Privilege claim upheld; Document HMK019880363_0001 – Objection sustained. Ruling: Privilege claim upheld; Document HMK018486557 – Objection overruled. Ruling: Privilege claim sustained in part; Documents HMK011233682_0001, HMK019409906, and HMK019760695. Highmark has agreed to produce these documents <u>2212</u> , Plas objection with respect to these three documents is moot; Document HMK011384225 – Objection overruled. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 6/22/2018. (KAM) (Entered: 06/22/2018)
06/22/2018	<u>2215</u>	MOTION to Amend/Correct <u>2113</u> Order on Motion to Amend/Correct,, Order on Sealed Motion,, <i>Plaintiffs' Unopposed Motion to Amend Modification to Discovery Order No. 88</i> by Plaintiffs' Liaison Counsel.

		(Ragsdale, Barry) (Entered: 06/22/2018)
06/25/2018	<u>2216</u>	TEXT ORDER re <u>2215</u> Unopposed Motion to Amend Modification to Discovery Order No. 88. The parties are directed to submit mutually agreeable dates to the Special Master no later than July 2, 2018. Signed by Magistrate Judge T Michael Putnam on June 25, 2018. (JTS) (Entered: 06/25/2018)
06/26/2018	<u>2217</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT HAWAII MEDICAL SERVICE ASSOCIATION</i> . (Harwood, R) (Additional attachment(s) added on 6/26/2018: # <u>1</u> Supplement Unredacted R&R) (PSM,). (Entered: 06/26/2018)
06/26/2018	<u>2218</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 5/1/2018 – 5/31/2018 in this matter relating solely to the services provided to the plaintiffs, and totaling \$57,500.00. Signed by Judge R David Proctor on 6/26/2018. (KAM) (Entered: 06/26/2018)
06/26/2018	<u>2219</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from 5/1/2018 – 5/31/2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,000.00. Signed by Judge R David Proctor on 6/26/2018. (KAM) (Entered: 06/26/2018)
06/26/2018	<u>2220</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT CAPITAL BLUECROSS</i> . (Harwood, R) (Additional attachment(s) added on 6/26/2018: # <u>1</u> Supplement Unredacted R&R) (PSM,). (Entered: 06/26/2018)
06/26/2018	<u>2221</u>	RESPONSE in Opposition re <u>2120</u> MOTION for Partial Summary Judgment <i>Against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association (Provider Plaintiffs)</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Evidentiary Submission Index, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18)(Sooy, Kathleen) (Entered: 06/26/2018)
06/26/2018	<u>2222</u>	JOINDER in re <u>2120</u> <i>IN CERTAIN DEFENDANTS' OPPOSITION TO PROVIDER PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT</i> filed by USABLE Mutual Insurance Company d/b/a Arkansas Blue Cross and Blue Shield. (Naranjo, Michael) (Entered: 06/26/2018)
06/26/2018	<u>2223</u>	Opposition to re <u>2120</u> <i>Provider Plaintiffs' Motion for Partial Summary Judgment</i> filed by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Attachments: # <u>1</u> Exhibit A)(Walsh, Stephen) (Entered: 06/26/2018)
06/28/2018	<u>2224</u>	SEALED MOTION – Subscriber and Provider Plaintiffs' MOTION to compel production of documents form BCBS–VT's Privilege Log (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit C and OO)(KAM)

			Modified on 6/29/2018 (KAM,). (Entered: 06/28/2018)
06/28/2018	<u>2225</u>		MOTION to Compel <i>Production of Documents From BCBS–VT's Privilege Log</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit C and OO)(Hellums, Christopher) (Entered: 06/28/2018)
06/29/2018	<u>2226</u>		MOTION to Substitute Party by Plaintiffs' Counsel. (Wilkerson, David) (Entered: 06/29/2018)
07/02/2018	<u>2227</u>		TEXT ORDER —This matter is before the court on Plaintiff SHGI Corporation's Motion to Substitute Plaintiff. <u>2226</u> The Motion explains that SHGI Corporation has been acquired by Sirocco and Sirocco seeks to replace SHGI as a named plaintiff in this litigation. The Motion <u>2226</u> is GRANTED . The Clerk of the Court is directed to substitute Sirocco as a named plaintiff in place of SHGI Corporation in this litigation. Signed by Judge R David Proctor on 7/2/2018. (KAM) (Entered: 07/02/2018)
07/02/2018	<u>2228</u>		ORDER UNSEALING CERTAIN DOCUMENTS as set out in this order. Signed by Judge R David Proctor on 7/2/2018. (KAM) (Entered: 07/02/2018)
07/03/2018	<u>2229</u>		***Document Sealed** OBJECTION OF CAPITAL BLUECROSS TO REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS (Attachments: # <u>1</u> Exhibit Declaration of William Manning) (KAM) (Entered: 07/05/2018)
07/05/2018	<u>2230</u>		***Document Sealed*** BLUE CROSS BLUE SHIELD OF VERMONT'S RESPONSE TO PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BLUE CROSS BLUE SHIELD OF VERMONT'S PRIVILEGE LOG (KAM) (Entered: 07/05/2018)
07/05/2018	<u>2231</u>		MEMORANDUM OPINION AND ORDER REGARDING BCBS–ALS CONTACTS WITH PUTATIVE CLASS MEMBERS – Subscriber Plaintiffs Renewed Motion for a Protective Order as to BCBS–ALs Contacts with Putative Class Members (Doc. # 2075) is DENIED. Signed by Judge R David Proctor on 7/15/2018. (KAM) (Entered: 07/05/2018)
07/09/2018	<u>2232</u>		ORDER this matter is before the court on the Plaintiffs' unopposed Motion to Amend Modification to Discovery Order No. 88 <u>2215</u> ; Telephone Conference set for 7/19/2018 03:00 PM before Magistrate Judge T. Michael Putnam. Signed by Magistrate Judge T. Michael Putnam on 7/9/2018. (KAM) (Entered: 07/09/2018)
07/10/2018	<u>2233</u>		STATUS REPORT <i>on Privilege Logs</i> by Blue Cross and Blue Shield of Alabama. filed by Blue Cross and Blue Shield of Alabama (Malatesta, John) (Entered: 07/10/2018)
07/11/2018	<u>2234</u>		ORDER REGARDING CAPITAL BLUECROSS SAMPLE DOCUMENTS; Document CBC_PL_00005186 – Objection sustained. Ruling: Privilege claim as to the two identified additional e-mails is upheld; Document CBC_PL_00022447 – Objection sustained in part. Ruling: Privilege claim upheld as to the third and fourth paragraphs of the e-mail which may be redacted; Document CBC_PL_00033626 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 7/11/2018. (KAM) (Entered: 07/11/2018)
07/12/2018	<u>2235</u>		

			Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS OF IDAHO HEALTH SERVICE, INC.</i> . (Harwood, R) (Entered: 07/12/2018)
07/12/2018	<u>2236</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT CAMBIA HEALTH SOLUTIONS</i> . (Harwood, R) (Additional attachment(s) added on 7/12/2018: # <u>1</u> Unredacted R&R) (KAM,). (Entered: 07/12/2018)
07/12/2018	<u>2237</u>		MOTION to Withdraw as Attorney <i>Michelle S. Kallen</i> by CIGNA Health and Life Insurance Company. (Weller, Christopher) (Entered: 07/12/2018)
07/12/2018	2238		TEXT ORDER – This case is before the court on the Motion to Withdraw filed on behalf of attorney Michelle S. Kallen. <u>2237</u> The Motion <u>2237</u> is GRANTED. The Clerk of the Court is directed to terminate attorney Kallen. Signed by Judge R David Proctor on 7/12/2018. (KAM) (Entered: 07/12/2018)
07/19/2018	<u>2239</u>		***Document Sealed*** OBJECTION OF Blue Cross of Idaho Health Service Inc to Special Master Report and Recommendation <u>2235</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 07/19/2018)
07/19/2018	<u>2240</u>		RESPONSE to re <u>2235</u> , <u>2236</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Blue Cross of Idaho and Cambia Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 07/19/2018)
07/19/2018			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 7/19/2018. (Court Reporter Teresa Roberson) (ASL) (Entered: 07/19/2018)
07/19/2018	<u>2241</u>		ORDER granting <u>2215</u> Plaintiffs Unopposed Motion to Amend Modification to Discovery Order No. 88. The Plaintiffs shall file their Renewed Motion to Amend Discovery Order No. 88 within twenty-one (21) days after the final Report and Recommendation is entered by the Privilege Master, but in no event, the renewed motion is due no later than September 28, 2018. Signed by Magistrate Judge T Michael Putnam on 7/19/2018. (KAM) (Entered: 07/19/2018)
07/23/2018	<u>2242</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from June 1, 2018 through June 30, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$63,000.00. Signed by Judge R David Proctor on 7/23/2018. (KAM) (Entered: 07/23/2018)
07/23/2018	<u>2243</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from June 1, 2018 through June 30, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$3,500.00. Signed by Judge R David Proctor on 7/23/2018. (KAM) (Entered: 07/23/2018)
07/23/2018	<u>2244</u>		RESPONSE to re <u>2240</u> <i>Plaintiffs' Objection to Special Master Report <u>2235</u></i> filed by Blue Cross of Idaho Health Service Incorporated. (Sooy, Kathleen) (Entered: 07/23/2018)

07/23/2018	<u>2245</u>		RESPONSE to re <u>2240</u> <i>Cambia Health Solutions's Response to Plaintiffs' Objections to Special Master's Report & Recommendation on Cambia's Privilege Log Samples</i> filed by Defendants' Counsel. (Cohen, Lucile) (Entered: 07/23/2018)
07/24/2018	<u>2246</u>		MOTION for Extension of Time to File Response/Reply as to <u>2120</u> MOTION for Partial Summary Judgment <i>Against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association (Provider Plaintiffs) Unopposed</i> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 07/24/2018)
07/24/2018	<u>2247</u>		ORDER REGARDING CAMBIA HEALTH SOLUTIONSS SAMPLE DOCUMENTS – Cambria has responded to Plaintiffs Objection by agreeing to produce the one document at issue <u>2245</u> ; therefore, that portion of Plaintiffs' Objection <u>2240</u> directed to Cambia's privilege sample is MOOT . Signed by Judge R David Proctor on 7/24/2018. (KAM) (Entered: 07/24/2018)
07/24/2018	<u>2248</u>		ORDER REGARDING BLUE CROSS OF IDAHO HEALTH SERVICE, INC.S SAMPLE DOCUMENTS – Idaho has responded to Plaintiffs Objection by agreeing to produce the one document at issue. <u>2244</u> . Therefore, that portion of Plaintiffs Objection <u>2240</u> directed to Idahos privilege sample is MOOT . Remaining at issue is one document: BC–IDAHO_MDL000675943. <u>2239</u> ; Document BC–IDAHO_MDL000675943 –Objection sustained. Ruling: Privilege claim upheld as to the entire last paragraph. Signed by Judge R David Proctor on 7/24/2018. (KAM) (Entered: 07/24/2018)
07/24/2018	2249		TEXT ORDER This matter is before the court on Provider Plaintiffs' Unopposed Motion for Extension of Time to File Reply to Motion for Partial Summary Judgment. <u>2246</u> The Motion <u>2246</u> is GRANTED . Plaintiffs' SHALL file any Reply in Support of their Motion for Partial Summary Judgment on or before August 6, 2018.Signed by Judge R David Proctor on 7/24/2018. (KAM) (Entered: 07/24/2018)
07/25/2018	<u>2250</u>		FOURTH AMENDMENT TO DISCOVERY ORDER No. 76. Signed by Magistrate Judge T Michael Putnam on 7/25/2018. (KAM) (Entered: 07/25/2018)
07/25/2018	<u>2251</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF ARIZONA</i> . (Harwood, R) (Entered: 07/25/2018)
07/27/2018	<u>2252</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT INDEPENDENCE HOSPITAL INDEMNITY PLAN</i> . (Harwood, R) (Additional attachment(s) added on 7/27/2018: # <u>1</u> Exhibit Unredacted R&R) (PSM,). (Entered: 07/27/2018)
07/30/2018	<u>2253</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS BLUE SHIELD OF NORTH CAROLINA</i> . (Harwood, R) (Additional attachment(s) added on 7/30/2018: # <u>1</u> unredacted R&R) (KAM,). (Entered: 07/30/2018)

08/01/2018	<u>2254</u>	***Document Sealed *** BCBS OF ARIZONA'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION <u>2251</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM) (Entered: 08/01/2018)
08/01/2018	<u>2255</u>	***Document Sealed*** SUBSCRIBER AND PROVIDER PLAINTIFFS' OBJECTION TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON BLUE CROSS BLUE SHIELD OF ARIZONA PRIVILEGE LOG SAMPLES (Attachments: # <u>1</u> Exhibit A) (KAM) (Entered: 08/01/2018)
08/01/2018	<u>2256</u>	RESPONSE to re <u>2251</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Blue Cross Blue Shield of Arizona Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A)(Ragsdale, Barry) (Entered: 08/01/2018)
08/03/2018	<u>2257</u>	RESPONSE to re <u>2252</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Independence Blue Cross Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Ragsdale, Barry) (Entered: 08/03/2018)
08/03/2018	<u>2258</u>	***Document Sealed*** SUBSCRIBER AND PROVIDER PLAINTIFFS' OBJECTIONS TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON INDEPENDENCE BLUE CROSS PRIVILEGE LOG SAMPLES <u>2252</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D-1, # <u>5</u> Exhibit D-2, # <u>6</u> Exhibit D-3, # <u>7</u> Exhibit E-1, # <u>8</u> Exhibit E-2, # <u>9</u> Exhibit F) (KAM) (Entered: 08/03/2018)
08/06/2018	<u>2259</u>	RESPONSE to re <u>2256</u> <i>Plaintiffs' Objection to Special Master's Report and Recommendation</i> filed by Blue Cross Blue Shield of Arizona. (Sooy, Kathleen) (Entered: 08/06/2018)
08/06/2018	<u>2260</u>	***Document Sealed*** BLUE CROSS BLUE SHIELD OF NORTH CAROLINA'S OBJECTION TO JULY 30, 2018 REPORT & RECOMMENDATION OF SPECIAL MASTER (KAM) (Entered: 08/06/2018)
08/06/2018	<u>2261</u>	***Document Sealed*** INDEPENDENCE HOSPITAL INDEMNITY PLAN'S RESPONSE TO PLAINTIFFS' OBJECTIONS TO JULY 27, 2018 REPORT & RECOMMENDATION OF THE SPECIAL MASTER (KAM) (Entered: 08/06/2018)
08/06/2018	<u>2262</u>	RESPONSE to <i>Plaintiffs' Objections to July 27, 2018 Report & Recommendation of the Special Master re Independence Blue Cross</i> filed by Defendants' Counsel. (Rowe, Stephen) (Entered: 08/06/2018)
08/06/2018	<u>2263</u>	RESPONSE to re <u>2254</u> <i>Plaintiffs' Response To BCBS-AZ Objections To Special Masters Report And Recommendation On The Privilege Log Of BCBS-AZ</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 08/06/2018)
08/06/2018	<u>2264</u>	REPLY to Response to Motion re <u>2120</u> MOTION for Partial Summary Judgment Against Certain Defendants That Were Not Signatories to Settlement Agreements in <i>Love v. Blue Cross and Blue Shield Association</i>

			(<i>Provider Plaintiffs</i>) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 08/06/2018)
08/06/2018	<u>2265</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2223</u> Opposition (other) of <i>Excellus, Inc. to Provider Plaintiffs' Motion for Partial Summary Judgment Against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Declaration of Edith M. Kallas, # <u>2</u> Exhibit 1 to Declaration, # <u>3</u> Exhibit 2 to Declaration, # <u>4</u> Exhibit 3 to Declaration, # <u>5</u> Exhibit 4 to Declaration, # <u>6</u> Exhibit 5 to Declaration)(Whatley, Joe) (Entered: 08/06/2018)
08/10/2018	<u>2266</u>		MOTION to Withdraw as Attorney by USABLE Mutual Insurance Company d/b/a Arkansas Blue Cross and Blue Shield. (Benny, Erik) (Entered: 08/10/2018)
08/13/2018	<u>2267</u>		ORDER REGARDING BLUE CROSS BLUE SHIELD OF NORTH CAROLINAS SAMPLE DOCUMENTSDocument BCBSNC–00324425 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 8/13/2018. (KAM) (Entered: 08/13/2018)
08/13/2018	<u>2268</u>		MOTION for Leave to File <i>Surreply in Opposition to Providers' Motion for Partial Summary Judgment</i> by Defendants' Counsel. (Sooy, Kathleen) (Entered: 08/13/2018)
08/14/2018	<u>2269</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS AND BLUE SHIELD OF KANSAS, INC.</i> . (Harwood, R) (Additional attachment(s) added on 8/14/2018: # <u>1</u> Exhibit Unredacted R&R) (PSM,). (Entered: 08/14/2018)
08/14/2018	2270		TEXT ORDER –This matter is before the court on the Non–Settling Defendants' Motion for Leave to File Surreply in Opposition to Providers' Motion for Partial Summary Judgment. <u>2268</u> The Motion <u>2268</u> is GRANTED . The Non–Settling Defendants may file a surreply, limited to fifteen pages, on or before September 5, 2018 . Providers may file a final brief, similarly limited to fifteen pages, on or before September 26, 2018 . Signed by Judge R David Proctor on 8/14/2018. (KAM) (Entered: 08/14/2018)
08/14/2018	2271		TEXT ORDER This case is before the court on attorney Erik F. Benny's Motion to Withdraw. Benny's Motion to Withdraw is GRANTED . The Clerk of Court is DIRECTED to terminate attorney Benny. Signed by Judge R David Proctor on 8/14/2018. (KAM) (Entered: 08/14/2018)
08/14/2018	<u>2272</u>		ORDER REGARDING INDEPENDENCE BLUE CROSS SAMPLE DOCUMENTS –IBC has responded to Plaintiffs Objection. (Doc. # 2261). In its response, IBC agrees to produce four of the nine documents at issue in Plaintiffs Objection. (Doc. # 22261 at 8). Therefore, Plaintiffs Objections relating to documents IBC–PL–0029140, IBC–PL–0029347, IBC–PL–0007327, and IBC–PL–0018450 are MOOT. (Doc. # 22261 at 8); Documents IBC–PL–0029240 and IBC–PL–0029248 are overlapping documents – Objection overruled. Ruling: Privilege claim upheld as to the third and fourth sequential e–mails in the string; Document IBC–PL–0018766 – Objection sustained in part and overruled in part.

			Ruling: Privilege claim upheld only as to proposed redactions noted above; Document IBC-PL-0020581 –Objection overruled. Ruling: Privilege claim upheld Objection overruled. Ruling: Privilege claim upheld; Document IBC-PL-0022390 –. Signed by Judge R David Proctor on 8/14/2018. (KAM) (Entered: 08/14/2018)
08/14/2018	<u>2273</u>		ORDER REGARDING BLUE CROSS BLUE SHIELD OF ARIZONAS SAMPLE DOCUMENTS – BCBS-AZ has responded to Plaintiffs Objection by agreeing to produce the one document at issue. (Doc. # 2259). Therefore, Plaintiffs Objection to Arizona privilege sample (Doc. # 2255) is MOOT; Document AZ-PL00006510 – Objection overruled. Ruling: Privilege claim not substantiated; Document AZ-PL00001279 – Objection overruled. Ruling: Privilege claim not substantiated; Document AZ-PL00001622 – Objection sustained. Ruling: Privilege claim upheld as to the third e-mail in the string. Signed by Judge R David Proctor on 8/14/2018. (KAM) (Entered: 08/14/2018)
08/14/2018	<u>2274</u>		Supplemental MOTION to Strike <i>New Arguments in Providers' Reply in Further Support of their Motion for Partial Summary Judgment and Alternatively for Leave to File Sur-Reply</i> by Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield. (Bloomberg, Edward) (Entered: 08/14/2018)
08/16/2018	<u>2275</u>		RESPONSE in Opposition re <u>2274</u> Supplemental MOTION to Strike <i>New Arguments in Providers' Reply in Further Support of their Motion for Partial Summary Judgment and Alternatively for Leave to File Sur-Reply</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 08/16/2018)
08/17/2018	<u>2276</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on August 30, 2018</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 08/17/2018)
08/21/2018	<u>2277</u>		***Document Sealed** Response of BCBS of Kansas to Special Master Report and Recommendation (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 08/21/2018)
08/21/2018	<u>2278</u>		***Document Sealed** SUBSCRIBER AND PROVIDER PLAINTIFFS' OBJECTIONS to Special Master's Report and Recommendation on BCBS of Kansas Privilege Log Samples (KAM) (Entered: 08/21/2018)
08/21/2018	<u>2279</u>		RESPONSE to re <u>2269</u> <i>Plaintiffs' Objections to Special Master's Report and Recommendation on Blue Cross Blue Shield of Kansas Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 08/21/2018)
08/22/2018	<u>2280</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2018 through July 31, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$50,000.00. Signed by Judge R David Proctor on 8/22/2018. (KAM) (Entered: 08/22/2018)
08/22/2018	<u>2281</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2018 through July 31, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$3,000.00. Signed by Judge R David Proctor on 8/22/2018. (KAM) (Entered: 08/22/2018)

08/24/2018	<u>2282</u>		ORDER – 1. Third Party Provider Cahaba Medical Cares Motion to Maintain Seal on Defendant Blue Cross Blue Shield of Michigans Motion to Compel the Production of Documents and Accompanying Exhibits (Doc. # 1770) is GRANTED IN PART. Document # 1733, and its exhibits, documents # 1733–1, 1733–2, and 1733–3 SHALL remain UNDER SEAL. 2. The Motion of Non–Party Health Care Authority of the City of Huntsville to Maintain Seal, and for Other Relief (Doc. # 1777) is GRANTED IN PART. Document # 1747, and its exhibits, documents # 1747–1, 1747–2, 1747–3, 1747–4, 1747–5, 1747–6, and 1747–7 SHALL remain UNDER SEAL. 3. Third Party Provider Cahaba Medical Cares Motion to Maintain Seal on Defendant Blue Cross Blue Shield of Michigans Reply in Support of Motion to Compel the Production of Documents and Accompanying Exhibits (Doc. # 1827) is GRANTED. Document #1804 SHALL remain UNDER SEAL. Signed by Judge R David Proctor on 8/24/2018. (KEK) (Entered: 08/24/2018)
08/24/2018	<u>2283</u>		ORDER – Therefore, Excelluss Supplemental Motion to Strike or Alternatively, for Leave to File Sur–Reply (Doc. # 2274) is GRANTED IN PART AND DENIED IN PART. That portion of Providers Reply directed to the MSSNY agreements, rather than the Love agreements, is stricken. No surreplies other than those already allowed will be considered by the court. Signed by Judge R David Proctor on 8/24/2018. (KEK) (Entered: 08/24/2018)
08/24/2018	<u>2285</u>		***Document Sealed***DEFENDANT BCBS of Kansas RESPONSE to plaintiffs' objections to Special Master Report (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 08/28/2018)
08/27/2018	<u>2284</u>		STATUS REPORT <i>JOINT STATUS REPORT for August 30, 2018 Discovery Conference</i> by Defendants' Counsel. filed by Defendants' Counsel (Hoover, Craig) (Entered: 08/27/2018)
08/30/2018	<u>2286</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS AND BLUE SHIELD OF KANSAS CITY</i> . (Harwood, R) (Additional attachment(s) added on 8/30/2018: # <u>1</u> Exhibit Unredacted R&R) (PSM,). (Entered: 08/30/2018)
08/30/2018			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 8/30/2018. (Court Reporter Leah Turner.) (KLL) (Entered: 08/30/2018)
08/30/2018			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 8/30/2018. (Court Reporter Sabrina Lewis) (ASL) (Entered: 08/30/2018)
08/30/2018	<u>2287</u>		ORDER– A Status Conference is SET for 10/25/2018 01:00 PM at the Hugo L Black Courthouse before Magistrate Judge T Michael Putnam; The parties are DIRECTED to submit a joint status report by October 22, 2018; If the parties cannot come to an agreement sufficient to permit a joint status report, the parties are DIRECTED to submit separate status reports by October 22, 2018; Further instructions within. Signed by Magistrate Judge T Michael Putnam on 8/30/18. (MRR,) (Entered: 08/30/2018)
09/04/2018	<u>2288</u>		ORDER REGARDING BLUE CROSS BLUE SHIELD OF KANSASS SAMPLE DOCUMENTS :Document KS–PL00003744 – Objection

		sustained. Ruling: Privilege claim upheld as to the first e-mail in the chain; Document KS-PL00013163 – Objection overruled. Ruling: Privilege claim upheld as to the second and third chronological e-mails in the chain; Document KS-HC-PL00000221 – Objection overruled. Ruling: Privilege claim upheld; Document KS-HC-PL00000010 – Objection overruled. Ruling: Privilege claim upheld; Document KS-HC-PL00000166 – Objection overruled. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 9/4/2018. (KAM) (Entered: 09/04/2018)
09/05/2018	<u>2289</u>	ORDER on or before September 21, 2018, counsel for Defendants SHALL make sure that at least one attorney of record has appeared for each defendant in each underlying case to which the defendant is a party. On or before September 24, 2018, with local facilitating counsel for Defendants SHALL file a status report indicating that all such appearances have been made. Signed by Judge R David Proctor on 9/5/2018. (KAM) (Entered: 09/05/2018)
09/05/2018	<u>2290</u>	RESPONSE in Opposition re <u>2120</u> MOTION for Partial Summary Judgment <i>Against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association (Provider Plaintiffs)</i> filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 09/05/2018)
09/07/2018	<u>2291</u>	Transcript of Proceedings held on 8/30/2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 9/28/2018. Redacted Transcript Deadline set for 10/8/2018. Release of Transcript Restriction set for 12/6/2018. (KEK) Correcting date of hearing Modified on 10/15/2018 (KAM,). (Entered: 09/07/2018)
09/11/2018	<u>2292</u>	STATUS REPORT <i>on Special Master De-Designation</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 09/11/2018)
09/12/2018	<u>2293</u>	NOTICE of Appearance by Helen E Witt on behalf of Blue Shield of California, Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc., Health Care Service Corporation, Highmark BCBSD Inc., Highmark Inc., Highmark West Virginia Inc., Hospital Service Association of Northeastern Pennsylvania d/b/a Blue Cross of Northeastern Pennsylvania (Witt, Helen) (Entered: 09/12/2018)
09/13/2018	<u>2294</u>	RESPONSE to re <u>2292</u> <i>Defendants' Response to Plaintiffs' Status Report on Special Master De-Designation</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Hoover, Craig) (Entered: 09/13/2018)
09/14/2018	<u>2295</u>	NOTICE of Appearance by Charles L Sweeris on behalf of California Physicians Service d/b/a Blue Shield of California (Sweeris, Charles)

			(Entered: 09/14/2018)
09/14/2018	<u>2296</u>		DISCOVERY ORDER No. 90; The motion for sanctions (Doc. 2072 and Sealed Doc. 2074) are DENIED as set out herein. Signed by Magistrate Judge T Michael Putnam on 9/14/2018. (JLC) (Entered: 09/14/2018)
09/20/2018	<u>2297</u>		MOTION to Withdraw as Attorney by USABLE Mutual Insurance Company d/b/a Arkansas Blue Cross and Blue Shield. (Kapatkin, Brian) (Entered: 09/20/2018)
09/20/2018	2298		TEXT ORDER This matter is before the court on attorney Brian J. Kapatkin's Motion to Withdraw <u>2297</u> . The Motion <u>2297</u> is GRANTED. The Clerk of Court is DIRECTED to terminate Attorney Kapatkin. Signed by Judge R David Proctor on 9/20/2018. (KAM) (Entered: 09/20/2018)
09/21/2018	<u>2299</u>		NOTICE of Appearance by Andrew Phillip Campbell on behalf of Blue Cross Blue Shield Michigan (Campbell, Andrew) (Entered: 09/21/2018)
09/24/2018	<u>2300</u>		STATUS REPORT by Defendants' Counsel. filed by Defendants' Counsel (Hogewood, Mark) (Entered: 09/24/2018)
09/25/2018	<u>2301</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from August 1, 2018 through August 31, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,000.00. Signed by Judge R David Proctor on 9/25/2018. (KAM) (Entered: 09/25/2018)
09/25/2018	<u>2302</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from August 1, 2018 through August 31, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$49,000.00. Signed by Judge R David Proctor on 9/25/2018. (KAM) (Entered: 09/25/2018)
09/26/2018	<u>2303</u>		MOTION to Withdraw as Attorney <i>Christopher A. Shapley</i> by Blue Cross Blue Shield Antitrust Litigation MDL 2406. (McDowell, M) (Entered: 09/26/2018)
09/26/2018	2304		TEXT ORDER This matter is before the court on attorney Christopher A. Shapley's Motion for Withdrawal of Counsel. The Motion is GRANTED. The Clerk of the Court is directed to terminate attorney Shapley. Signed by Judge R David Proctor on 9/26/2018. (KAM) (Entered: 09/26/2018)
09/26/2018	<u>2305</u>		Transcript of Proceedings held on 8/30/2018, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/17/2018. Redacted Transcript Deadline set for 10/27/2018. Release of Transcript Restriction set for 12/25/2018. (KAM) (Entered: 09/26/2018)

		09/26/2018)
09/26/2018	<u>2306</u>	REPLY to re <u>2120</u> <i>Surreply in Support of Provider Plaintiffs' Motion for Partial Summary Judgment Against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 09/26/2018)
09/28/2018	<u>2307</u>	MOTION for Extension of Time to <i>File Renewed Motion to Amend Discovery Order No. 88</i> by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 09/28/2018)
10/01/2018	2308	TEXT ORDER re <u>2307</u> Motion for Extension of Time. BCBS Alabama has notified the court that they will respond to the motion today. Any response to the motion is due no later than 5:00 PM on October 1, 2018. Signed by Magistrate Judge T Michael Putnam on October 1, 2018. (TNC) (Entered: 10/01/2018)
10/01/2018	<u>2309</u>	Opposition to <i>Plaintiffs' September 28, 2018 Motion for Extension of Time</i> filed by Blue Cross and Blue Shield of Alabama. (Burkhalter, Carl) (Entered: 10/01/2018)
10/04/2018	<u>2310</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS AND BLUE SHIELD OF KANSAS CITY</i> . (Harwood, R) (Additional attachment(s) added on 10/4/2018: # <u>1</u> Exhibit Unredacted R&R) (PSM,). (Entered: 10/04/2018)
10/05/2018	<u>2311</u>	Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT BLUE CROSS AND BLUE SHIELD OF NEBRASKA</i> . (Harwood, R) (Additional attachment(s) added on 10/5/2018: # <u>1</u> Exhibit Unredacted R&R) (PSM,). (Entered: 10/05/2018)
10/05/2018	<u>2312</u>	Brief <i>FIRST PARTIAL REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT FIRSTCARE</i> . (Harwood, R) (Additional attachment(s) added on 10/5/2018: # <u>1</u> Exhibit Unredacted R&R) (PSM,). (Entered: 10/05/2018)
10/05/2018	<u>2313</u>	Brief <i>FINAL PARTIAL REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT CAREFIRST</i> . (Harwood, R) (Entered: 10/05/2018)
10/11/2018	<u>2314</u>	***Document Sealed*** Subscriber and Provider Plaintiffs' OBJECTIONS TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON BCBS-KC PRIVILEGE LOG SAMPLES (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 10/11/2018)
10/11/2018	<u>2315</u>	RESPONSE to re <u>2310</u> <i>Plaintiffs' Objections to Special Master's Report & Recommendation on BCBS-KC Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1) (Ragsdale, Barry) (Entered: 10/11/2018)
10/11/2018	<u>2316</u>	***Document Sealed*** BLUE CROSS AND BLUE SHIELD OF KANSAS CITY'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (KAM) (Entered: 10/11/2018)

10/11/2018	<u>2317</u>		ORDER This case is set for a status conference with the Special Master on October 29, 2018 at a mutually convenient time and place. Agenda items will include: (i) case planning based on whether the Interlocutory Appeal is accepted by the Eleventh Circuit; (ii) collaboration in resolving any remaining Privilege Log (documents) issues; and (iii) if, when, and how discovery may be supplemented. If the parties wish to address additional items, they shall inform the Special Master within a week prior to the status conference. Signed by Judge R David Proctor on 10/11/2018. (KAM) (Entered: 10/11/2018)
10/12/2018	<u>2318</u>		***Document Sealed*** BLUE CROSS AND BLUE SHIELD OF NEBRASKA'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION <u>2311</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (KAM) (Entered: 10/12/2018)
10/12/2018	<u>2319</u>		***Document Sealed*** CAREFIRST DEFENDANTS' OBJECTION TO SPECIALMASTER REPORT AND RECOMMENDATION (KAM) (Entered: 10/12/2018)
10/15/2018	<u>2320</u>		RESPONSE to re <u>2318</u> <i>Plaintiffs' Response To BCBS-NE Objections To Special Master's Report And Recommendation On The Privilege Log Of BCBS-NE</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 10/15/2018)
10/15/2018	<u>2321</u>		***Document Sealed*** RESPONSE OF BLUE CROSS AND BLUE SIDELO OF KANSAS CITYTO PLAINTIFFS' OBJECTIONS TO SPECIAL MASTER REPORT (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (KAM) (Entered: 10/15/2018)
10/15/2018	<u>2322</u>		AMENDED <u>2291</u> reflecting page numbers; Transcript of Proceedings held on 8/30/2018, before Judge T. Michael Putnam. Court Reporter/Transcriber Sabrina Lewis. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/5/2018. Redacted Transcript Deadline set for 11/15/2018. Release of Transcript Restriction set for 1/13/2019. (KAM,) (Entered: 10/15/2018)
10/16/2018	<u>2323</u>		ORDER Per the request of the parties, a hearing on Documents <u>2036</u> and <u>2038</u> is set for November 15, 2018, at 1:00 P.M. in Courtroom 3B of the Hugo L. Black US Courthouse, Birmingham, Alabama. Court reporter to be present. Plaintiffs supporting briefs are due no later than October 29, 2018, at 3:00 P.M. BCBS-ALs responsive brief is due no later than November 13, 2018 at 3:00 P.M.; The Discovery Conference previously set by Document 2287 for October 25, 2018, at 1:00 P.M. in Courtroom 3B of the Hugo L. Black US Courthouse, Birmingham, Alabama, is CANCELLED. Signed by Magistrate Judge T Michael Putnam on 10/16/2018. (KAM) (Entered: 10/16/2018)

			10/16/2018)
10/17/2018	<u>2324</u>		MEMORANDUM OPINION AND ORDER denying <u>2120</u> Motion for Partial Summary Judgment against Certain Defendants That Were Not Signatories to Settlement Agreements in Love v. Blue Cross and Blue Shield Association; Costs related to the current Motion are taxed against Provider Plaintiffs. Signed by Judge R David Proctor on 10/17/2018. (KAM) (Entered: 10/17/2018)
10/17/2018	<u>2325</u>		ORDER REGARDING BLUE CROSS BLUE SHIELD OF NEBRASKAS SAMPLE DOCUMENTS <u>2318</u> ; Document NE-PL000000665 – Objection overruled. Ruling: Privilege claim as to the third e-mail in the chain dated May 29, 2008, is not substantiated. Signed by Judge R David Proctor on 10/17/2018. (KAM) (Entered: 10/17/2018)
10/17/2018	<u>2326</u>		***Document Sealed*** SUPPLEMENT TO OBJECTION OF CAREFIRST DEFENDANTS TO SPECIAL MASTER REPORT AND RECOMMENDATION First Partial Report & Recommendation [ECF No. 2312] (Report 1), and the Second Partial Report & Recommendation [ECF. No. 2313] (Report 2). (KAM) (Entered: 10/17/2018)
10/19/2018	<u>2327</u>		ORDER REGARDING BLUE CROSS BLUE SHIELD OF KANSAS CITY'S SAMPLE DOCUMENTS. Signed by Judge R David Proctor on 10/19/2018. (JLC) (Entered: 10/19/2018)
10/24/2018	<u>2328</u>		DISCOVERY ORDER No. 91. Signed by Magistrate Judge T Michael Putnam on 10/24/2018. (KAM) (Entered: 10/24/2018)
10/24/2018	<u>2329</u>		Consent MOTION to Continue <i>Motion to Compel Deadline as to Certain Defendants</i> by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 10/24/2018)
10/25/2018	<u>2330</u>		ORDER REGARDING BLUE CROSS BLUE SHIELD OF CAREFIRSTS SAMPLE DOCUMENTS <u>2319</u> ; Document CareFirst INCAMERA-00000651 – Objection sustained. Ruling: privilege claim upheld; Document CareFirst INCAMERA-00000799 – Objection sustained. Ruling: privilege claim upheld; Document CareFirst INCAMERA-00000811 – Objection sustained. Ruling: Privilege claim upheld; Document CareFirst INCAMERA-00001068 – Objection sustained. Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 10/25/2018. (KAM) (Entered: 10/25/2018)
10/25/2018	<u>2331</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2018 through September 30, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$63,000.00. Signed by Judge R David Proctor on 10/25/2018. (KAM) (Entered: 10/25/2018)
10/26/2018	<u>2332</u>		SEALED MOTION **Subscriber and Provider Plaintiffs' MOTION TO COMPEL production of documents from certain Defendants' privilege logs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit)(KAM) Modified on 10/29/2018 (KAM,). (Entered: 10/26/2018)
10/26/2018	<u>2333</u>		

			MOTION to Compel <i>Production of Documents From Certain Defendants' Privilege Logs</i> by Plaintiffs' Liaison Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit R, BB, and NN)(Ragsdale, Barry) (Entered: 10/26/2018)
10/26/2018	2334		TEXT ORDER; This matter is before the court on the parties' Consent Motion to Continue Motion to Compel Deadline as to Certain Defendants. <u>2329</u> The Motion <u>2329</u> is GRANTED. The Fourth Amendment to Discovery Order No. 76 <u>2250</u> is AMENDED as follows: (d) For all remaining disputes, Plaintiffs will file any motions to compel on or before December 7, 2018. Signed by Judge R David Proctor on 10/26/2018. (JLC) (Entered: 10/26/2018)
10/29/2018	<u>2335</u>		STATUS REPORT <i>Regarding the Reopened Depositions of Terry Kellogg and Robin Stone (Plaintiffs)</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Whatley, Joe) (Entered: 10/29/2018)
11/02/2018	<u>2336</u>		***Document Sealed*** RESPONSE OF CAPITAL BLUECROSS TO PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM CERTAIN DEFENDANTS PRIVILEGE LOGS (KAM) (Entered: 11/02/2018)
11/02/2018	<u>2337</u>		***Document Sealed – RESPONSE of Defendant Independence to Plaintiff's Motion to Compel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (KEK) (Entered: 11/02/2018)
11/05/2018	<u>2338</u>		ORDER REGARDING PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BCBS-VTS PRIVILEGE LOG – Document BCBSVT-00168592 – Ruling: Privilege claim unsubstantiated; Documents BCBSVT-00163742, BCBSVT-00183776, and BCBSVT-00183777 – Ruling: Privilege claim unsubstantiated. Signed by Judge R David Proctor on 11/5/2018. (KAM) (Entered: 11/05/2018)
11/05/2018	<u>2339</u>		ORDER REGARDING PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BCBSAS PRIVILEGE LOG – Document BCBSA 24164 – Ruling: Privilege claim unsubstantiated; Document BCBSA 28662 – Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 11/5/2018. (KAM) (Entered: 11/05/2018)
11/07/2018	<u>2340</u>		ORDER REGARDING PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BCBS-NC'S PRIVILEGE LOG. Signed by Judge R David Proctor on 11/7/2018. (JLC) (Entered: 11/07/2018)
11/08/2018	<u>2341</u>		ORDER REGARDING PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BCBS-KS'S PRIVILEGE LOG. Signed by Judge R David Proctor on 11/8/2018. (JLC) (Entered: 11/08/2018)
11/09/2018	2342		TEXT ORDER. With the filing of Plaintiffs' Status Report <u>2335</u> on October 29, 2018, the Hearing before Judge Putnam scheduled for November 15, 2018, is CANCELLED. Signed by Magistrate Judge T Michael Putnam on November 9, 2018. (TNC) (Entered: 11/09/2018)
11/09/2018	<u>2343</u>		ORDER REGARDING PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BCBS-ALS PRIVILEGE LOG

			<u>2080</u> ; Documents 580403684 and 580403693 – Ruling: Privilege claim upheld; Documents 14208469 and 38705472 – Ruling: Privilege claim upheld; Documents 3903990 through 3903994 – Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 11/5/2018. (KAM) (Entered: 11/09/2018)
11/15/2018	<u>2344</u>		ORDER REGARDING PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM BCBS–KCS PRIVILEGE LOG <u>2164</u> ;Document KC–PL00008776 – Ruling: Privilege claim upheld in part with respect to the second sentence in the second paragraph; privilege claim unsubstantiated with respect to the remainder of the e–mail chain; Document KC–PL00011443 – Ruling: Privilege claim upheld; Document KC–PL00011813 – Ruling: Privilege claim unsubstantiated; Documents KC–PL00015379 and KC–PL00015381 – Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 11/15/2018. (KAM) (Entered: 11/15/2018)
11/16/2018	<u>2345</u>		ORDER REGARDING PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM INDEPENDENCES PRIVILEGE LOG <u>2333</u> – Document IBC–PL–006490 – Ruling: Privilege claim upheld. Signed by Judge R David Proctor on 11/16/2018. (KAM) (Entered: 11/16/2018)
11/26/2018	<u>2346</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from October 1, 2018 through October 31, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$55,500.00. Signed by Judge R David Proctor on 11/26/2018. (KAM) (Entered: 11/26/2018)
11/26/2018	<u>2347</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2018 through October 31, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$12,000.00. Signed by Judge R David Proctor on 11/26/2018. (KAM) (Entered: 11/26/2018)
11/29/2018	<u>2348</u>		NOTICE by Plaintiffs' Liaison Counsel re <u>2162</u> MOTION to Compel <i>Production of Documents From Certain Defendants' Privilege Logs</i> (Ragsdale, Barry) (Entered: 11/29/2018)
11/30/2018	2349		TEXT ORDER This matter is before the court on Plaintiffs' Notice Regarding Motion to Compel Production of Documents from Certain Defendants' Privilege Logs. <u>2348</u> Plaintiffs' Notice <u>2348</u> informs the court that the remaining portions of the Motion to Compel <u>2162</u> which have not previously been ruled on have been resolved. Therefore, the remaining portions of Plaintiffs Motion to Compel <u>2162</u> are MOOT. Signed by Judge R David Proctor on 11/30/2018. (KAM) (Entered: 11/30/2018)
12/17/2018	<u>2350</u>		ORDER Status Conference set for 1/15/2019 09:30 AM in Hugo L Black US Courthouse, Birmingham, AL before Judge R David Proctor. The Special Master will provide a call–in number for the conference. On or before Wednesday, January 9, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference.. Signed by Judge R David Proctor on 12/17/2018. (KAM) (Entered: 12/17/2018)

12/17/2018	<u>2351</u>		ORDER Status Conference set for 1/15/2019 01:00 PM before Magistrate Judge T Michael Putnam. Any written submissions are governed by subsection II.D.2 of Discovery Order No. 1, as amended. The Special Master will provide a call-in number for the conference. The parties are DIRECTED to submit a joint status report by January 9, 2019, that contains a proposed agenda for the discovery conference. Signed by Magistrate Judge T Michael Putnam on 12/17/2018. (KAM) (Entered: 12/17/2018)
01/02/2019	<u>2352</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2018 through November 30, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$48,000.00. Signed by Judge R David Proctor on 1/2/2019. (KAM) (Entered: 01/02/2019)
01/02/2019	<u>2353</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2018 through November 30, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$9,000.00. Signed by Judge R David Proctor on 1/2/2019. (KAM) (Entered: 01/02/2019)
01/04/2019	<u>2354</u>		Brief <i>REPORT & RECOMMENDATION OF SPECIAL PRIVILEGE MASTER REGARDING SAMPLE DOCUMENTS FROM DEFENDANT CAPITAL BLUECROSS</i> . (Harwood, R) (Entered: 01/04/2019)
01/07/2019	<u>2355</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on January 15, 2019 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 01/07/2019)
01/07/2019	<u>2356</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Discovery Status Conference on January 15, 2019 at 1:00 p.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 01/07/2019)
01/10/2019	<u>2357</u>		ORDER terminating without prejudice <u>2080</u> Motion to compel in light of Docs. <u>2339</u> , <u>2340</u> , <u>2354</u> and 2342 it appears the motion is substantially resolved ; <u>2307</u> Motion for Extension of Time is presently somewhat MOOT; once the privilege log issues are finally resolved, plaintiffs may have 30 days to renew such a motion targeted at any unresolved issues; terminating without prejudice <u>2333</u> Motion to Compel in light of Docs <u>2345</u> and <u>2354</u> , the motion appears to be substantially resolved. Signed by Judge R David Proctor on 1/10/2019. (KAM) (Entered: 01/10/2019)
01/11/2019	<u>2358</u>		STIPULATION <i>Regarding Briefing Schedule for Objections to Report and Recommendation of Special Privilege Master Regarding Sample Documents from Defendant Capital BlueCross</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 01/11/2019)
01/11/2019	<u>2359</u>		***Document Sealed** OBJECTION of Capital BlueCross to <u>2354</u> Report & Recommendation of Special Privilege Master (KAM) (Entered: 01/11/2019)
01/11/2019	2360		TEXT ORDER This matter is before the court on the parties' Joint Stipulation Regarding Briefing Schedule for Objections. <u>2358</u> The court adopts the Stipulation. Objections to the latest Report and Recommendation <u>2354</u> are due Friday, January 11, 2019. Unless otherwise agreed or ordered by the court, responses to any such objections SHALL be filed on or before

			January 18, 2019. Signed by Judge R David Proctor on 1/11/2019. (KAM) (Entered: 01/11/2019)
01/11/2019	<u>2361</u>		RESPONSE to re <u>2354</u> <i>Plaintiffs' Objections to Special Master's Report & Recommendation on Capital BlueCross Privilege Log Samples</i> filed by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 01/11/2019)
01/14/2019	<u>2362</u>		NOTICE by Plaintiffs' Counsel of <i>Filing Plaintiffs' Joint Submission Regarding Case Schedule</i> (Whatley, Joe) (Entered: 01/14/2019)
01/14/2019	<u>2363</u>		STATUS REPORT <i>regarding Case Schedule</i> by Defendants' Counsel. filed by Defendants' Counsel (Hoover, Craig) (Entered: 01/14/2019)
01/14/2019	<u>2364</u>		STATUS REPORT (<i>Plaintiffs' Status Report on Privilege Sampling</i>) by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 01/14/2019)
01/15/2019			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 1/15/2019. (Court Reporter Leah Turner.) (KLL) (Entered: 01/15/2019)
01/15/2019			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery Status Conference held on 1/15/2019. (Court Reporter Leah Turner) (ASL) (Entered: 01/15/2019)
01/17/2019	<u>2365</u>		ORDER APPOINTING THE BLUES COUNCIL OF TWELVE; Carl Burkhalter, Evan Chesler, Karin DeMasi, Desmond Hogan, Mark Hogewood, Craig Hoover, John M. Johnson, Daniel Laytin, Kathleen Sooy, Kimberly West, Helen Witt and David Zott are appointed; the Counsel shall confer and within 21 days, provide the court in camera a report recommending how they propose to organize themselves and effectively lead in the defense of the claims asserted in this MDL. Signed by Judge R David Proctor on 1/17/2019. (KAM) (Entered: 01/17/2019)
01/17/2019	<u>2366</u>		STATUS REPORT <i>Joint Status Report Regarding Proposed Second Privilege Sampling</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit Exhibit A)(Hogan, E) (Entered: 01/17/2019)
01/17/2019	<u>2367</u>		NOTICE by Plaintiffs' Liaison Counsel re <u>2366</u> <i>Status Report of Plaintiffs' Proposed Order Regarding Additional Sampling of Privilege Logs</i> (Ragsdale, Barry) (Entered: 01/17/2019)
01/18/2019	<u>2368</u>		NOTICE by Defendants' Counsel re <u>2366</u> <i>Status Report Defendants' Proposed Order Regarding Second Privilege Sampling</i> (Hogan, E) (Entered: 01/18/2019)
01/18/2019	<u>2369</u>		RESPONSE to <i>Plaintiffs' Objections to Report & Recommendation of Special Privilege Master by Capital BlueCross</i> filed by Defendants' Counsel. (Payne, Joshua) (Entered: 01/18/2019)
01/23/2019	<u>2370</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from December 1, 2018 through December 31, 2018 in this matter relating solely to services provided to the Plaintiffs, and totaling \$44,000.00. Signed by Judge R David Proctor on 1/23/2019. (KAM) (Entered: 01/23/2019)

01/23/2019	<u>2371</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from December 1, 2018 through December 31, 2018 in this matter as it relates to services rendered for both sides of the case, and totaling \$8,000.00. Signed by Judge R David Proctor on 1/23/2019. (KAM) (Entered: 01/23/2019)
01/24/2019	<u>2372</u>		Transcript of Proceedings held on 1/15/2019, before Judge T. Michael Putnam. Court Reporter/Transcriber Leah S. Turner, Telephone number 205-278-1780. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/14/2019. Redacted Transcript Deadline set for 2/24/2019. Release of Transcript Restriction set for 4/24/2019. (JLC) (Entered: 01/24/2019)
01/24/2019	<u>2373</u>		Transcript of Proceedings held on 1/15/2019, before Judge R. David Proctor. Court Reporter/Transcriber Leah S. Turner. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/14/2019. Redacted Transcript Deadline set for 2/24/2019. Release of Transcript Restriction set for 4/24/2019. (KAM,) (Entered: 01/24/2019)
01/28/2019	<u>2374</u>		ORDER REFERRING ADDITIONAL SAMPLING ISSUES TO PRIVILEGE MASTER; the court hereby REFERS the matter of additional sampling to Justice Harwood. The parties are DIRECTED to meet and confer with Justice Harwood and Special Master Ed Gentle to develop a method for conducting the additional sampling in an efficient manner. Signed by Judge R David Proctor on 1/28/2019. (KAM) (Entered: 01/28/2019)
01/28/2019	<u>2375</u>		ORDER REGARDING CAPITAL BLUECROSS SAMPLE DOCUMENTS – This matter is before the court on the Objections to the Special Masters Report and Recommendation on Privilege Log Samples from Capital BlueCross from Plaintiffs and from Capital; Capital has responded to Plaintiffs Objection by agreeing to produce the one document at issue in their objection, document CBC_PL_00003938; Therefore, Plaintiffs Objection (Doc. # 2361) directed to Capitals privilege sample is MOOT; Document CBC_PL_00040722 – Objection sustained. Ruling: privilege claim upheld as to document CBC_PL_00040722. Signed by Judge R David Proctor on

			1/28/2019. (KAM) (Entered: 01/28/2019)
02/11/2019	<u>2376</u>		NOTICE of Appearance by Winnifred Lewis on behalf of Blue Cross and Blue Shield of Alabama (Lewis, Winnifred) (Entered: 02/11/2019)
02/12/2019	<u>2377</u>		STATUS REPORT <i>on Defendants' Certified Privilege Logs</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 02/12/2019)
02/14/2019	<u>2378</u>		Joint MOTION to Set Schedule by Plaintiffs' Liaison Counsel. (Ragsdale, Barry) (Entered: 02/14/2019)
02/14/2019	<u>2379</u>		STATUS REPORT <i>regarding Case Schedule</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order)(Hoover, Craig) (Entered: 02/14/2019)
02/14/2019	<u>2380</u>		NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Submission on Schedule After Eleventh Circuit's Denial of the Defendants' 1292(b) Petition</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Whatley, Joe) (Entered: 02/14/2019)
02/14/2019	<u>2381</u>		Brief re <u>2378</u> Joint MOTION to Set Schedule <i>Memorandum of Law in Support on Behalf of Subscriber Plaintiffs</i> . (Hellums, Christopher) (Entered: 02/14/2019)
02/21/2019	<u>2382</u>		MOTION to Intervene <i>Verified Motion to Intervene for the Limited Purpose of Seeking a Preliminary Injunction</i> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/21/2019)
02/21/2019	<u>2383</u>		MOTION for Preliminary Injunction <i>Verified Motion for Preliminary Injunction</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A—Part 1, # <u>2</u> Exhibit A—Part 2, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N)(Whatley, Joe) (Entered: 02/21/2019)
02/22/2019	<u>2384</u>		RESPONSE to Motion re <u>2378</u> Joint MOTION to Set Schedule filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1)(Hoover, Craig) (Entered: 02/22/2019)
02/22/2019	<u>2385</u>		RESPONSE to re <u>2379</u> <i>Subscriber Plaintiffs' Response in Opposition to Defendants' Status Report Regarding Case Schedule</i> filed by Plaintiffs' Liaison Counsel. (Hellums, Christopher) (Entered: 02/22/2019)
02/22/2019	<u>2386</u>		RESPONSE to re <u>2379</u> <i>Provider Plaintiffs' Response to Defendants' Status Report Regarding Case Schedule</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/22/2019)
02/25/2019	<u>2387</u>		NOTICE by Plaintiffs' Counsel re <u>2384</u> Response to Motion <i>Notice of Clarification</i> (Whatley, Joe) (Entered: 02/25/2019)
02/27/2019	<u>2388</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from January 1, 2019 through January 31, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$47,000.00. Signed by Judge R David Proctor on 2/27/2019. (KAM) (Entered: 02/27/2019)

02/27/2019	<u>2389</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from January 1, 2019 through January 31, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$13,000.00. Signed by Judge R David Proctor on 2/27/2019. (KAM) (Entered: 02/27/2019)
03/06/2019	<u>2390</u>		Brief <i>REPORT & RECOMMENDATION OF PRIVILEGE MASTER FOR SELECTION OF ADDITIONAL SAMPLES FOR REVIEW FROM THE DEFENDANTS RESPECTIVE LOGS</i> . (Harwood, R) (Entered: 03/06/2019)
03/06/2019	<u>2391</u>		Brief <i>REPORT & RECOMMENDATION OF PRIVILEGE MASTER FOR SELECTION OF ADDITIONAL SAMPLES FOR REVIEW FROM THE DEFENDANTS RESPECTIVE LOGS (CORRECTED SO AS TO INCLUDE EXHIBIT 1 THERETO, INADVERTENTLY OMITTED FROM THE INITIAL FILING OF THIS DOCUMENT)</i> . (Harwood, R) (Entered: 03/06/2019)
03/08/2019	<u>2392</u>		FOURTH AMENDED SCHEDULING ORDER – Class Certification Discovery: All reports from retained experts on class certification under FRCP 26(a)(2) are: Due from Plaintiffs upon filing of any class certification motion; Due from Defendants upon filing of any opposition to class certification motion; Rebuttal due from Plaintiffs upon filing of any reply to class certification motion; parties SHALL complete the depositions of any expert on class certification issues within 30 days of receipt of the experts report provided that any deposition regarding a rebuttal report SHALL be taken within 14 days of service of the rebuttal report; Class Certification Motions: Motions for class certification and materials in support SHALL be filed on or before 4/15/2019; Opposition briefs SHALL be due on or before 7/15/2019; Reply briefs SHALL be due on or before August 30, 2019; Any Daubert motions seeking to exclude any class certification expert witness SHALL be filed within 75 days of disclosure of the experts report; Damages and Merits Expert Reports and Discovery are: Due from Plaintiffs on or before 5/15/2019; Due from Defendants on or before 7/30/2019; Rebuttals due from Plaintiffs on or before 8/16/2019. Signed by Judge R David Proctor on 3/8/2019. (KAM) (Entered: 03/08/2019)
03/08/2019	2393		TEXT ORDER This matter is before the Court on Plaintiffs' Joint Motion to Set Schedule. <u>2378</u> In light of the Fourth Amended Scheduling Order <u>2392</u> the Joint Motion <u>2378</u> is MOOT. Signed by Judge R David Proctor on 3/8/2019. (KAM) (Entered: 03/08/2019)
03/11/2019	<u>2394</u>		ORDER REGARDING ADDITIONAL SAMPLING BY THE PRIVILEGE MASTER. Signed by Judge R David Proctor on 3/11/2019. (KAM) (Entered: 03/11/2019)
03/15/2019	<u>2395</u>		Brief <i>REPORT & RECOMMENDATION OF SEAL MASTER REGARDING STANDARD OF REVIEW BRIEF EXHIBITS</i> . (Harwood, R) (Entered: 03/15/2019)
03/19/2019	<u>2396</u>		NOTICE by Plaintiffs' Counsel <i>Providers' First Notice from the Anthem v. Cigna Delaware Trial</i> (Whatley, Joe) (Entered: 03/19/2019)
03/21/2019	2397		TEXT ORDER This matter is before the court on an informal request to seal Providers' First Notice from the Anthem v. Cigna Delaware Trial. <u>2396</u> This limited issue is SET for a telephone conference at 1:00 p.m. on Monday, March 25, 2019. Counsel who have been corresponding with the court on this

		issue, and/or the parties' respective Seal Team members, are DIRECTED to call 866-434-5269 to access the telephone conference. The access code is 6022965. Signed by Judge R David Proctor on 3/21/2019. (KAM) (Entered: 03/21/2019)
03/22/2019	<u>2398</u>	RESPONSE to re <u>2396</u> <i>Anthem's Response to Provider Plaintiffs' First Notice from the Anthem v. Cigna Trial</i> filed by Anthem, Inc.. (Kimble, Cavender) (Entered: 03/22/2019)
03/25/2019	<u>2399</u>	REPLY to re <u>2396</u> <i>Provider Plaintiffs' Reply Regarding First Notice from the Anthem v. Cigna Trial</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 03/25/2019)
03/25/2019	<u>2400</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from February 1, 2019 through February 28, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$54,000.00. Signed by Judge R David Proctor on 3/25/2019. (KAM) (Entered: 03/25/2019)
03/25/2019	<u>2401</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from February 1, 2019 through February 28, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$5,500.00. Signed by Judge R David Proctor on 3/25/2019. (KAM) (Entered: 03/25/2019)
03/29/2019	<u>2402</u>	Joint MOTION regarding Class Certification Briefing by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 03/29/2019)
04/01/2019	<u>2403</u>	ORDER before the court on the parties Joint Motion Regarding Class Certification Briefing. (Doc. # <u>2402</u>). In the Motion, the parties ask the court to enter an order reflecting the parties agreed structure and page limits applicable to class certification briefing. The Motion (Doc. # 2402) is GRANTED; page limits applicable to class certification briefing filed pursuant to the Fourth Amended Scheduling Order SHALL be as follows:a. Provider and Subscriber Plaintiffs motions for class certification shall not exceed 60 pages per track. Subscriber Plaintiffs may file separate motions to certify under Rules 23(b)(2) and 23(b)(3), provided that the total number of pages for both motions combined does not exceed 60 pages.b. Defendants oppositions to Subscriber and Provider Plaintiffs motions for class certification, respectively, shall not exceed 75 pages per track. Defendants may file one opposition to both tracks. Defendants opposition(s) will not exceed 150 pages total.c. Provider and Subscriber Plaintiffs replies in support of their motions for class certification shall not exceed 40 pages per track.d. All motions, oppositions, and replies filed pursuant to this order shall comply with the formatting requirements of this Courts standard Initial Order, including the requirement to use Times New Roman Font and 12-point type (except footnotes may be in 10-point type).. Signed by Judge R David Proctor on 4/1/2019. (KAM) (Entered: 04/01/2019)
04/05/2019	<u>2404</u>	ORDER Status Conference set for 5/23/2019 09:30 AM before Judge R David Proctor.The Special Master will provide a call-in number for the conference. On or before Monday, May 20, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be

		addressed during the status conference. Signed by Judge R David Proctor on 4/5/2019. (KAM) (Entered: 04/05/2019)
04/08/2019	<u>2405</u>	ORDER REGARDING EXPERT REPORT SUMMARIES – Pursuant to the Fourth Amended Scheduling Order (Doc. # <u>2392</u>), the parties will soon be filing expert reports together with briefing on class certification motions and dispositive motions. Concurrently the filing of those expert reports, the parties SHALL also file a separate executive summary of each such expert report. The summaries should be designed to orient the court to contents of the full reports. They SHALL be filed in a separate document and not exceed ten (10) pages in length. Signed by Judge R David Proctor on 4/8/2019. (KAM) (Entered: 04/08/2019)
04/09/2019	<u>2406</u>	Transcript of Proceedings held on 3/25/2019, before Judge R. David Proctor. Court Reporter/Transcriber Janet Arledge. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 4/30/2019. Redacted Transcript Deadline set for 5/10/2019. Release of Transcript Restriction set for 7/8/2019. (KAM,) (Entered: 04/09/2019)
04/15/2019	<u>2407</u>	MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Nationwide Injunctive Class or, in the Alternative, Alabama Injunctive Class</i> by Plaintiffs' Counsel. (Hellums, Christopher) (Additional attachment(s) added on 4/15/2019: # <u>1</u> Unredacted Brief) (KAM,). (Entered: 04/15/2019)
04/15/2019	<u>2408</u>	Brief re <u>2407</u> MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Nationwide Injunctive Class or, in the Alternative, Alabama Injunctive Class – Memorandum of Law in Support</i> . (Hellums, Christopher) (Entered: 04/15/2019)
04/15/2019	<u>2409</u>	MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Alabama Damages Class</i> by Plaintiffs' Counsel. (Hellums, Christopher) (Entered: 04/15/2019)
04/15/2019	<u>2410</u>	Brief re <u>2409</u> MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Alabama Damages Class – Memorandum of Law in Support</i> . (Hellums, Christopher) (Additional attachment(s) added on 4/15/2019: # <u>1</u> Unredacted brief) (KAM,). (Entered: 04/15/2019)
04/15/2019	<u>2411</u>	NOTICE by Plaintiffs' Counsel <i>Subscriber Plaintiffs' Executive Summary of Expert Reports of Dr. Daniel Rubinfeld and Dr. Ariel Pakes</i> (Hellums, Christopher) (Additional attachment(s) added on 4/15/2019: # <u>1</u> Unredacted Summary) (KAM,). (Entered: 04/15/2019)
04/15/2019	<u>2412</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Expert Report of Daniel J. Slottje, Ph.D.</i> (Whatley, Joe) (Entered: 04/15/2019)

04/15/2019	<u>2413</u>		NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Expert Report of H.E. Frech, III, Ph.D.</i> (Whatley, Joe) (Entered: 04/15/2019)
04/15/2019	<u>2414</u>		NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Expert Report of Deborah Haas–Wilson, Ph.D.</i> (Whatley, Joe) (Entered: 04/15/2019)
04/15/2019	<u>2415</u>		SEALED MOTION **Provider Plaintiffs' MOTION for Class Certification and Supporting Memorandum. (KAM) Modified on 4/23/2019 (KAM,) [Should not be unsealed. Contains privileged information that was clawed back. The operative version of this motion and supporting memorandum can be found at Dkt. 2421] Modified on 5/27/2020 (KAM). (Entered: 04/15/2019)
04/15/2019	<u>2416</u>		MOTION to Certify Class <i>Provider Plaintiffs' Motion for Class Certification and Supporting Memorandum (Public Version)</i> by Plaintiffs' Counsel. (Whatley, Joe) Modified on 4/23/2019 (KAM,). (Entered: 04/15/2019)
04/19/2019	<u>2417</u>		CORRECTED Transcript of Proceedings held on 3/25/2019, before Judge R. David Proctor. Court Reporter/Transcriber Sabrina Lewis. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/10/2019. Redacted Transcript Deadline set for 5/20/2019. Release of Transcript Restriction set for 7/18/2019. (KAM) (Entered: 04/19/2019)
04/19/2019	<u>2418</u>		ORDER In addition to any items the parties wish to place on the agenda for the May 23, 2019 status conference, the parties SHALL be prepared to discuss how ASOs might fit into or relate to this MDL; the parties SHALL submit a joint report including a list of (1) all ASOs and (2) who may represent the ASOs in any discussions about resolution or other litigation matters. Signed by Judge R David Proctor on 4/19/2019. (KAM) (Entered: 04/19/2019)
04/22/2019	<u>2419</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from March 1, 2019 through March 31, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$5,500.00. Signed by Judge R David Proctor on 4/22/2019. (KAM) (Entered: 04/22/2019)
04/22/2019	<u>2420</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from March 1, 2019 through March 31, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$62,200.00. Signed by Judge R David Proctor on 4/22/2019. (KAM) (Entered: 04/22/2019)
04/22/2019	<u>2421</u>		PROVIDER PLAINTIFFS AMENDED MOTION FOR CLASS CERTIFICATION AND SUPPORTING MEMORANDUM (KAM)

		Modified on 6/12/2019 (KAM,). DOCUMENT UNSEALED on 4/23/2020 pursuant to order. Modified on 4/24/2020 (KAM) (Entered: 04/22/2019)
04/23/2019	<u>2422</u>	Amended MOTION to Certify Class <i>Provider Plaintiffs' Amended Motion for Class Certification and Supporting Memorandum (Public Version)</i> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 04/23/2019)
04/26/2019	<u>2423</u>	MOTION to Withdraw as Attorney <i>or Remove Susan Smelcer as Counsel</i> by Defendants' Counsel. (McLeod, Aaron) (Entered: 04/26/2019)
04/29/2019	2424	TEXT ORDER This matter is before the court on the Motion to Withdraw or Remove Counsel seeking to remove Susan Smelcer as counsel for Independence Hospital Indemnity Plan, Inc. The Motion is GRANTED. The Clerk of the Court is directed to terminate attorney Smelcer. Signed by Judge R David Proctor on 4/29/2019. (KAM) (Entered: 04/29/2019)
05/10/2019	<u>2425</u>	MOTION for Protective Order <i>Regarding Privileged Materials Cited by Plaintiffs in Support of Class Certification</i> by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Mar. 25, 2019 Hearing Tr. excerpts, # <u>2</u> Exhibit 2– Mar. 20, 2019 D. Hogan email, # <u>3</u> Exhibit 3– Cigna Reply re Motion to Compel, # <u>4</u> Exhibit 4– Order re in camera review, # <u>5</u> Exhibit 5– Feb. 28, 2019 Trial Tr. excerpts, # <u>6</u> Exhibit 6– Cigna Motion to Compel, # <u>7</u> Exhibit 7– Letter Order re in camera review)(Hogan, E) (Entered: 05/10/2019)
05/13/2019	2426	TEXT ORDER –This matter is before the court on Defendants' Motion for Protective Order Regarding Privileged Materials Cited By Plaintiffs in Support of Class Certification. <u>2425</u> Subscriber Plaintiffs SHALL respond to the Motion on or before Friday, May 17, 2019 . Defendants MAY reply on or before Tuesday, May 21, 2019 . Interested parties should be prepared to address the Motion at the status conference on Thursday, May 23, 2019 . Signed by Judge R David Proctor on 5/13/2019. (KAM) (Entered: 05/13/2019)
05/15/2019	<u>2427</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Expert Report of Thomas D. Gober, CFE</i> (Whatley, Joe) (Entered: 05/15/2019)
05/15/2019	<u>2428</u>	NOTICE by Plaintiffs' Counsel <i>Subscriber Plaintiffs' Executive Summary of Merits Expert Reports</i> (Hellums, Christopher) (Entered: 05/15/2019)
05/16/2019	<u>2429</u>	ORDER The court hereby CONTINUES the deadlines for the addressing how ASOs might fit into or relate to this MDL, and ORDERS that, in preparation for the June 20, 2019 status conference, the parties SHALL meet and confer and be prepared to discuss a plan for addressing ASOs. In advance of the June hearing, the parties SHALL submit a joint report including a list of (1) all ASOs and (2) who may represent the ASOs in any discussions about resolution or other litigation matters. Signed by Judge R David Proctor on 5/16/2019. (KAM) (Entered: 05/16/2019)
05/17/2019	<u>2430</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on May 23, 2019</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 05/17/2019)
05/17/2019	<u>2431</u>	

			MOTION to Withdraw as Attorney by Blue Cross Blue Shield Michigan. (Wadsworth, Stephen) (Entered: 05/17/2019)
05/17/2019	2432		TEXT ORDER; This matter is before the court on the Motion to Withdraw as counsel for Blue Cross Blue Shield of Michigan filed by Stephen D. Wadsworth. The Motion is GRANTED. The Clerk of the Court is directed to terminate attorney Wadsworth. Attorney Stephen D Wadsworth terminated. Signed by Judge R David Proctor on 5/17/2019. (JLC) (Entered: 05/17/2019)
05/17/2019	<u>2433</u>		Opposition to re <u>2425</u> <i>Subscriber Plaintiffs' Opposition to Defendants' Motion for Protective Order</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Hellums, Christopher) (Entered: 05/17/2019)
05/17/2019	<u>2434</u>		RESPONSE in Opposition re <u>2425</u> MOTION for Protective Order <i>Regarding Privileged Materials Cited by Plaintiffs in Support of Class Certification</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 05/17/2019)
05/20/2019	<u>2435</u>		ORDER Discovery Conference set for 5/23/2019 01:30 PM before Magistrate Judge T Michael Putnam. Parties shall jointly submit a proposed agenda of items the parties wish to be addressed at the discovery conference on or before Wednesday, May 22, 2019 at 1:00 p.m.. Signed by Magistrate Judge T Michael Putnam on 5/20/2019. (KAM) (Entered: 05/20/2019)
05/21/2019	<u>2436</u>		Unopposed MOTION to Amend/Correct <i>Rule 30(b)(6) Deposition Testimony</i> by Health Care Service Corporation. (Hogewood, Mark) (Entered: 05/21/2019)
05/21/2019	<u>2437</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>2425</u> MOTION for Protective Order <i>Regarding Privileged Materials Cited by Plaintiffs in Support of Class Certification</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit A – May 16, 2019 M. Hogewood email chain excerpts, # <u>2</u> Exhibit B – Blix Street Records reply memorandum)(Hogan, E) (Entered: 05/21/2019)
05/22/2019	<u>2438</u>		ORDER this matter is before the court on Defendant Health Care Service Corporation's <u>2436</u> Motion to Correct Rule 30(b)(6) Deposition Testimony; The Motion seeks to amend specific portions of the June 22, 2017 Rule 30(b)(6) deposition testimony of its corporate representative, Steven Hamman, outside the time permitted by Federal Rule of Civil Procedure 30(e). (Id.). The Motion (Doc. # 2436) is GRANTED. Signed by Judge R David Proctor on 5/22/2019. (KAM) (Entered: 05/22/2019)
05/22/2019	<u>2439</u>		Joint MOTION to Amend/Correct <i>Fourth Amended Scheduling Order</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Redline of Proposed Changes, # <u>2</u> Exhibit B – Proposed Fifth Amended Scheduling Order)(Whatley, Joe) (Entered: 05/22/2019)
05/22/2019	<u>2440</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from April 1, 2019 through April 30, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$8,000.00. Signed by Judge R David Proctor on 5/22/2019. (KAM) (Entered: 05/22/2019)
05/22/2019	<u>2441</u>		

			ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from April 1, 2019 through April 30, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$74,000.00. Signed by Judge R David Proctor on 5/22/2019. (KAM) (Entered: 05/22/2019)
05/22/2019	<u>2442</u>		STATUS REPORT <i>Regarding Proposed Agenda for Discovery Conference</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 05/22/2019)
05/23/2019	<u>2443</u>		ORDER GRANTING <u>2439</u> Joint MOTION to Amend Scheduling Order. FIFTH AMENDED SCHEDULING ORDER; See all deadlines and instructions as set out herein. Signed by Judge R David Proctor on 5/23/2019. (JLC) (Entered: 05/23/2019)
05/23/2019			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 5/23/2019. (Court Reporter Teresa Roberson.) (KLL) (Entered: 05/23/2019)
05/23/2019			Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Discovery & Status Conference held on 5/23/2019. (Court Reporter Teresa Roberson) (ASL) (Entered: 05/24/2019)
05/31/2019	<u>2444</u>		NOTICE by Plaintiffs' Counsel of <i>Response to Subpoena</i> (Attachments: # <u>1</u> Exhibit A)(Whatley, Joe) (Entered: 05/31/2019)
06/04/2019	<u>2445</u>		ORDER This matter is before the court on Defendants Motion for Protective Order Regarding Privileged Materials Cited by Plaintiffs in Support of Class Certification <u>2425</u> Motion for Protective Order; the court concludes that the documents (or portions of documents) which are the subject of Defendants Motion are not privileged, Defendants Motion for Protective Order (Doc. # <u>2425</u>) is DENIED. Signed by Judge R David Proctor on 6/4/2019. (KAM) (Entered: 06/04/2019)
06/06/2019	<u>2446</u>		ORDER This case is SET for a status conference at 9:30 a.m. on Thursday, June 20, 2019, in Courtroom 8 of the Hugo L. Black United States Courthouse; On or before Monday, June 17, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference; the court again CONTINUES the deadline for addressing how ASOs might fit into or relate to this MDL, and ORDERS that, in preparation for the July 2019 status conference, the parties SHALL meet and confer and be prepared to discuss a plan for addressing ASOs. In advance of the July hearing, the parties SHALL submit a joint report including a list of (1) all ASOs and (2) who may represent the ASOs in any discussions about resolution or other litigation matters. Signed by Judge R David Proctor on 6/6/2019. (KAM) (Entered: 06/06/2019)
06/07/2019	<u>2447</u>		STATUS REPORT <i>On Personal Jurisdiction Challenges, Joint</i> by Defendants' Counsel. filed by Defendants' Counsel (Hogewood, Mark) (Entered: 06/07/2019)
06/14/2019	<u>2448</u>		NOTICE by Defendants' Counsel re <u>1349</u> Document Sealed,,, <u>1433</u> Document Sealed, of <i>Filing Certain Redacted Standard of Review Brief Exhibits</i> (Attachments: # <u>1</u> Exhibit 50, # <u>2</u> Exhibit 51, # <u>3</u> Exhibit 53, # <u>4</u> Exhibit 54, # <u>5</u> Exhibit 58, # <u>6</u> Exhibit 60, # <u>7</u> Exhibit 95, # <u>8</u> Exhibit 112, #

		9 Exhibit 136, # 10 Exhibit 137, # 11 Exhibit 146)(Donnell, Sarah) (Entered: 06/14/2019)
06/14/2019	<u>2449</u>	NOTICE by Plaintiffs' Counsel of <i>Provider Plaintiffs' Filing of Certain Redacted Standard of Review Exhibits</i> (Attachments: # 1 Exhibit PP Ex. 8 (1350-9), # 2 Exhibit PP Ex. 9 (1350-10), # 3 Exhibit PP Ex. 32 (1431-9), # 4 Exhibit PP Ex. PP (1431-35), # 5 Exhibit PP Ex. VVVV - Part 1 (1431-93), # 6 Exhibit PP Ex. VVVV - Part 2 (1431-94), # 7 Exhibit PP Ex. VVVV - Part 3 (1431-95))(Quillen, Henry) (Entered: 06/14/2019)
06/14/2019	<u>2450</u>	NOTICE by Plaintiffs' Counsel re <u>1436</u> Document Sealed,,,,,,,,, <u>1555</u> Document Sealed, <u>1352</u> Document Sealed,,,,,,,,,,,,,,,,, of <i>Subscribers Filing Certain Redacted Standard of Review Exhibits</i> (Attachments: # 1 Ex. 1, # 2 Ex. 2, # 3 Ex. 3, # 4 Ex. 4, # 5 Ex. 176, # 6 Ex. 177, # 7 Ex. 178, # 8 Ex. 179, # 9 Ex. 180, # 10 Ex. 181, # 11 Ex. 182, # 12 Ex. 183, # 13 Ex. 184, # 14 Ex. 185, # 15 Ex. 186, # 16 Ex. 187, # 17 Ex. 188, # 18 Ex. 189 part 1, # 19 Ex. 189 part 2, # 20 Ex. 190 part 1, # 21 Ex. 190 part 2, # 22 Ex. 191 part 1, # 23 Ex. 191 part 2, # 24 Ex. 192 part 1, # 25 Ex. 192 part 2, # 26 Ex. 193 part 1, # 27 Ex. 193 part 2, # 28 Ex. 194 part 1, # 29 Ex. 194 part 2, # 30 Ex. 195 part 1, # 31 Ex. 195 part 2, # 32 Ex. 196 part 1, # 33 Ex. 196 part 2, # 34 Ex. 197 part 1, # 35 Ex. 197 part 2, # 36 Ex. 198 part 1, # 37 Ex. 198 part 2, # 38 Ex. 199, # 39 Ex. 210 part 1, # 40 Ex. 210 part 2, # 41 Ex. 210 part 3, # 42 Ex. 215, # 43 Ex. 216, # 44 Ex. 217, # 45 Ex. 249 part 1, # 46 Ex. 249 part 2, # 47 Ex. 252, # 48 Ex. 254, # 49 Ex. 256, # 50 Ex. 261, # 51 Ex. 262, # 52 Ex. 282, # 53 Ex. 283, # 54 Ex. 289, # 55 Ex. 323)(Stokes, Tammy) (Entered: 06/14/2019)
06/14/2019	<u>2451</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on June 20, 2019 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 06/14/2019)
06/14/2019	<u>2452</u>	STATUS REPORT <i>JOINT REPORT REGARDING DISPOSITIVE MOTIONS</i> by Plaintiffs' Liaison Counsel. filed by Plaintiffs' Liaison Counsel (Ragsdale, Barry) (Entered: 06/14/2019)
06/18/2019	<u>2453</u>	***Document Sealed** SUBSCRIBER PLAINTIFFS' NOTICE OF FILING DOCUMENTS UNDER SEAL (Attachments: # 1 Exhibit 367, # 2 Exhibit 368, # 3 Exhibit 369, # 4 Exhibit 371, # 5 Exhibit 373, # 6 Exhibit 375, # 7 Exhibit 376, # 8 Exhibit 377, # 9 Exhibit 379, # 10 Exhibit 383, # 11 Exhibit 384, # 12 Exhibit 390, # 13 Exhibit 391, # 14 Exhibit 405, # 15 Exhibit 406, # 16 Exhibit 407, # 17 Exhibit 408, # 18 Exhibit 409, # 19 Exhibit 410, # 20 Exhibit 411, # 21 Exhibit 412, # 22 Exhibit 413, # 23 Exhibit 414, # 24 Exhibit 415) (KAM) (Entered: 06/18/2019)
06/18/2019	<u>2454</u>	***Document Sealed*** PROVIDER PLAINTIFFS' Notice of filing Sealed Documents Related to Their Evidentiary Submission in Support of their Amended Motion for Class Certification (Attachments: # 1 Exhibit 2, # 2 Exhibit 15, # 3 Exhibit 18, # 4 Exhibit 19, # 5 Exhibit 20, # 6 Exhibit 23, # 7 Exhibit 43, # 8 Exhibit 45, # 9 Exhibit 46, # 10 Exhibit 47, # 11 Exhibit 50, # 12 Exhibit 51, # 13 Exhibit 54, # 14 Exhibit 55) (KAM) (Entered: 06/18/2019)
06/18/2019	<u>2455</u>	Evidentiary Material re: <u>2421</u> SEALED MOTION <i>Provider Plaintiffs' Evidentiary Submission in Support of Their Amended Motion for Class</i>

		<p><i>Certification (Public Version)</i>. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, part 1, # <u>36</u> Exhibit 35, part 2, # <u>37</u> Exhibit 35, part 3, # <u>38</u> Exhibit 36, # <u>39</u> Exhibit 37, # <u>40</u> Exhibit 38, # <u>41</u> Exhibit 39, # <u>42</u> Exhibit 40, # <u>43</u> Exhibit 41, # <u>44</u> Exhibit 42, # <u>45</u> Exhibit 43, # <u>46</u> Exhibit 44, # <u>47</u> Exhibit 45, # <u>48</u> Exhibit 46, # <u>49</u> Exhibit 47, # <u>50</u> Exhibit 48, # <u>51</u> Exhibit 49, # <u>52</u> Exhibit 50, # <u>53</u> Exhibit 51, # <u>54</u> Exhibit 52, # <u>55</u> Exhibit 53, # <u>56</u> Exhibit 54, # <u>57</u> Exhibit 55)(Quillen, Henry) (Entered: 06/18/2019)</p>
06/18/2019	<u>2456</u>	<p>Evidentiary Material re: <u>2409</u> MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Alabama Damages Class</i>, <u>2407</u> MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Nationwide Injunctive Class or, in the Alternative, Alabama Injunctive Class</i> . (Attachments: # <u>1</u> Exhibit 330, # <u>2</u> Exhibit 331, # <u>3</u> Exhibit 332, # <u>4</u> Exhibit 333, # <u>5</u> Exhibit 334, # <u>6</u> Exhibit 335, # <u>7</u> Exhibit 336, # <u>8</u> Exhibit 337, # <u>9</u> Exhibit 338, # <u>10</u> Exhibit 339, # <u>11</u> Exhibit 340, # <u>12</u> Exhibit 341, # <u>13</u> Exhibit 342, # <u>14</u> Exhibit 343, # <u>15</u> Exhibit 344, # <u>16</u> Exhibit 345, # <u>17</u> Exhibit 346, # <u>18</u> Exhibit 347, # <u>19</u> Exhibit 348, # <u>20</u> Exhibit 349, # <u>21</u> Exhibit 350, # <u>22</u> Exhibit 351, # <u>23</u> Exhibit 352, # <u>24</u> Exhibit 353, # <u>25</u> Exhibit 354, # <u>26</u> Exhibit 355, # <u>27</u> Exhibit 356, # <u>28</u> Exhibit 357, # <u>29</u> Exhibit 358, # <u>30</u> Exhibit 359, # <u>31</u> Exhibit 360, # <u>32</u> Exhibit 361, # <u>33</u> Exhibit 362, # <u>34</u> Exhibit 363, # <u>35</u> Exhibit 364, # <u>36</u> Exhibit 365, # <u>37</u> Exhibit 366, # <u>38</u> Exhibit 367, # <u>39</u> Exhibit 368, # <u>40</u> Exhibit 369, # <u>41</u> Exhibit 370, # <u>42</u> Exhibit 371, # <u>43</u> Exhibit 372, # <u>44</u> Exhibit 373)(Hellums, Christopher) (Entered: 06/18/2019)</p>
06/18/2019	<u>2457</u>	<p>Evidentiary Material re: <u>2409</u> MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Alabama Damages Class</i>, <u>2407</u> MOTION to Certify Class <i>Subscriber Plaintiffs' Motion for Certification of Nationwide Injunctive Class or, in the Alternative, Alabama Injunctive Class</i> . (Attachments: # <u>1</u> Exhibit 374, # <u>2</u> Exhibit 375, # <u>3</u> Exhibit 376, # <u>4</u> Exhibit 377, # <u>5</u> Exhibit 378, # <u>6</u> Exhibit 379, # <u>7</u> Exhibit 380, # <u>8</u> Exhibit 381, # <u>9</u> Exhibit 382, # <u>10</u> Exhibit 383, # <u>11</u> Exhibit 384, # <u>12</u> Exhibit 385, # <u>13</u> Exhibit 386, # <u>14</u> Exhibit 387, # <u>15</u> Exhibit 388, # <u>16</u> Exhibit 389, # <u>17</u> Exhibit 390, # <u>18</u> Exhibit 391, # <u>19</u> Exhibit 392, # <u>20</u> Exhibit 393, # <u>21</u> Exhibit 394, # <u>22</u> Exhibit 395, # <u>23</u> Exhibit 396, # <u>24</u> Exhibit 397, # <u>25</u> Exhibit 398, # <u>26</u> Exhibit 399, # <u>27</u> Exhibit 400, # <u>28</u> Exhibit 401, # <u>29</u> Exhibit 402, # <u>30</u> Exhibit 403, # <u>31</u> Exhibit 404, # <u>32</u> Exhibit 405, # <u>33</u> Exhibit 406, # <u>34</u> Exhibit 407, # <u>35</u> Exhibit 408, # <u>36</u> Exhibit 409, # <u>37</u> Exhibit 410, # <u>38</u> Exhibit 411, # <u>39</u> Exhibit 412, # <u>40</u> Exhibit 413, # <u>41</u> Exhibit 414, # <u>42</u> Exhibit 415)(Hellums, Christopher) (Entered: 06/18/2019)</p>
06/20/2019		<p>Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 6/20/2019. (Court Reporter Risa Entrekin.) (KLL) (Entered: 06/20/2019)</p>
06/24/2019	<u>2458</u>	

		<p>Transcript of Proceedings held on June 20, 2019, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/15/2019. Redacted Transcript Deadline set for 7/25/2019. Release of Transcript Restriction set for 9/22/2019. (KAM) (Entered: 06/24/2019)</p>
06/24/2019	<u>2459</u>	<p>ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2019 through May 31, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$57,500.00. Signed by Judge R David Proctor on 6/24/2019. (KAM) (Entered: 06/24/2019)</p>
06/24/2019	<u>2460</u>	<p>ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2019 through May 31, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$10,000.00. Signed by Judge R David Proctor on 6/24/2019. (KAM) (Entered: 06/24/2019)</p>
06/25/2019	<u>2461</u>	<p>STATUS REPORT of <i>Blue Cross and Blue Shield of Kansas City and Blue Cross Blue Shield of North Dakota to Maintain Seal on Certain Exhibits to Subscribers' Motion for Class Certification</i> by Defendants' Counsel. filed by Defendants' Counsel (Sooy, Kathleen) (Entered: 06/25/2019)</p>
06/26/2019	<u>2462</u>	<p>ORDER Status Conference set for 7/22/2019 09:30 AM in Courtroom 8 of the Hugo L. Black United States Courthouse before Judge R David Proctor; The Special Master will provide a call-in number for the conference; On or before Wednesday, July 17, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 6/26/2019. (KAM) (Entered: 06/26/2019)</p>
07/01/2019	<u>2463</u>	<p>NOTICE by Defendants' Counsel of <i>Filing Under Seal</i> (Kimble, Cavender) (Entered: 07/01/2019)</p>
07/01/2019	<u>2464</u>	<p>MOTION to Exclude Provider Plaintiffs' Expert H.E. Frech, III by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1)(Donnell, Sarah) Modified on 7/2/2019 (KAM,). (Entered: 07/01/2019)</p>
07/01/2019	<u>2465</u>	<p>MOTION to Exclude in Part Subscriber Plaintiffs' Expert Daniel Rubinfeld by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1)(Donnell, Sarah) (Entered: 07/01/2019)</p>
07/01/2019	<u>2466</u>	<p>MOTION to Exclude Provider Plaintiffs' Expert Dr. Deborah Haas-Wilson by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum in Support)(Hogan, E) (Entered: 07/01/2019)</p>

07/01/2019	<u>2467</u>	Evidentiary Material re: <u>2466</u> MOTION to Exclude Provider Plaintiffs' Expert Dr. Deborah Haas-Wilson . (Attachments: # <u>1</u> Exhibit 1– Haas–Wilson deposition excerpts, # <u>2</u> Exhibit 2– Filed under seal, # <u>3</u> Exhibit 3– St. Alphonsus declaration, # <u>4</u> Exhibit 4– Ordoover declaration, # <u>5</u> Exhibit 5– Murphy deposition excerpt, # <u>6</u> Exhibit 6– Pakes deposition excerpt, # <u>7</u> Exhibit 7– Filed under seal, # <u>8</u> Exhibit 8– Filed under seal, # <u>9</u> Exhibit 9– Filed under seal, # <u>10</u> Exhibit 10– Filed under seal, # <u>11</u> Exhibit 11– Project Banner document, # <u>12</u> Exhibit 12– Kendrick deposition excerpt, # <u>13</u> Exhibit 13– ABA Section of Antitrust Law)(Hogan, E) (Entered: 07/01/2019)
07/01/2019	<u>2468</u>	MOTION to Exclude Subscriber Plaintiffs' Expert Dr. Ariel Pakes by Defendants' Counsel. (Attachments: # <u>1</u> Memorandum in Support)(Hogan, E) (Entered: 07/01/2019)
07/01/2019	<u>2469</u>	Evidentiary Material re: <u>2468</u> MOTION to Exclude Subscriber Plaintiffs' Expert Dr. Ariel Pakes . (Attachments: # <u>1</u> Exhibit 1– Pakes deposition excerpts (May 10, 2019), # <u>2</u> Exhibit 2– Ordoover declaration, # <u>3</u> Exhibit 3– Pakes deposition excerpts (June 14, 2019), # <u>4</u> Exhibit 4– Trish & Herring article, # <u>5</u> Exhibit 5– Ho & Lee article, # <u>6</u> Exhibit 6– Filed under seal, # <u>7</u> Exhibit 7 – Filed under seal, # <u>8</u> Exhibit 8 – Filed under seal, # <u>9</u> Exhibit 9 – Filed under seal, # <u>10</u> Exhibit 10– Alabama health insurance marketplace, # <u>11</u> Exhibit 11– Individual Products presentation, # <u>12</u> Exhibit 12– Email re Viva, # <u>13</u> Exhibit 13– Filed under seal, # <u>14</u> Exhibit 14– Filed under seal, # <u>15</u> Exhibit 15– BCBSVT President's Report, # <u>16</u> Exhibit 16– Lifetime Health Board meeting document, # <u>17</u> Exhibit 17 – Shepard article, # <u>18</u> Exhibit 18 – Ho, Pakes, and Shepard article, # <u>19</u> Exhibit 19 – Proving Antitrust Damages, # <u>20</u> Exhibit 20 – 2008 United 10–K, # <u>21</u> Exhibit 21– 2008 Humana 10–K)(Hogan, E) (Entered: 07/01/2019)
07/01/2019	<u>2470</u>	NOTICE by Blue Cross Blue Shield Michigan <i>Notice of Filing Under Seal</i> (Campbell, Andrew) (Entered: 07/01/2019)
07/01/2019	<u>2471</u>	MOTION to Strike <i>Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje</i> by Blue Cross Blue Shield Michigan. (Attachments: # <u>1</u> Supplement Memorandum in Support of Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje)(Campbell, Andrew) Modified on 7/2/2019 (KAM,). (Entered: 07/01/2019)
07/01/2019	<u>2472</u>	Evidentiary Material re: <u>2471</u> MOTION to Strike <i>Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje</i> . (Attachments: # <u>1</u> Exhibit Exhibit 1 Slottje Deposition Excerpts (Redacted), # <u>2</u> Exhibit Exhibit 2 Cigna Deposition Excerpts (filed under seal), # <u>3</u> Exhibit Exhibit 3 Aetna Deposition Excerpts (filed under seal), # <u>4</u> Exhibit Exhibit 4 Humana (Findlay) Deposition Excerpts (filed under seal))(Campbell, Andrew) (Entered: 07/01/2019)
07/01/2019	<u>2473</u>	Evidentiary Material re: <u>2471</u> MOTION to Strike <i>Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje</i> . (Attachments: # <u>1</u> Exhibit 5 Fech Deposition Excerpts)(Campbell, Andrew) (Entered: 07/01/2019)
07/01/2019	<u>2474</u>	Evidentiary Material re: <u>2471</u> MOTION to Strike <i>Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje</i> . (Attachments: # <u>1</u> Exhibit 6 Haas–Wilson Deposition Excerpts, # <u>2</u> Exhibit 7 Cigna Document (filed

			under seal), # <u>3</u> Exhibit 8 Humana (Davis) Deposition Excerpts (filed under seal))(Campbell, Andrew) (Entered: 07/01/2019)
07/01/2019	<u>2475</u>		***Document Sealed** DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF MOTION TO EXCLUDE OR STRIKE THE EXPERT TESTIMONY, OPINIONS AND ANALYSIS OF DR. ARIEL PAKES and Exhibits 6, 7, 8, 9, 13, 14 (KAM) Modified on 7/8/2019 (KAM,). (Entered: 07/02/2019)
07/01/2019	<u>2476</u>		***Document Sealed*** DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF MOTION TO EXCLUDE OR STRIKE EXPERT TESTIMONY, OPINIONS, AND ANALYSIS OF DR. DEBORAH HAAS-WILSON and Exhibits 2, 4, 7, 8, 9, 10 (KAM) (Entered: 07/02/2019)
07/01/2019	<u>2480</u>		***Document Sealed** DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION <u>2477</u> TO EXCLUDE PROVIDER PLAINTIFFS' EXPERT DR. DANIEL J. SLOTTJE (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8) (KAM) (Entered: 07/03/2019)
07/02/2019	<u>2477</u>		SEALED MOTION – DEFENDANTS' MOTION TO EXCLUDE PROVIDER PLAINTIFFS' EXPERT DR. DANIEL J. SLOTTJE. (KAM) (Entered: 07/02/2019)
07/02/2019	<u>2478</u>		MOTION Corrected Motion to Exclude Provider Plaintiffs' Expert H.E. Frech, III (Filed as <u>2464</u>) by Defendants' Counsel. (Attachments: # <u>1</u> Corrected Memorandum in Support, # <u>2</u> Exhibit 1)(Donnell, Sarah) (Entered: 07/02/2019)
07/02/2019	<u>2479</u>		STATUS REPORT of <i>Subscribers' Opposition to Seal of Certain Class Certification Exhibits</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Stokes, Tammy) (Entered: 07/02/2019)
07/02/2019	<u>2481</u>		***Document Sealed*** SUBSCRIBER'S OPPOSITION TO DEFENDANTS' REQUEST TO SEAL CERTAIN CLASS CERTIFICATION EXHIBITS (KAM) (Entered: 07/03/2019)
07/10/2019	<u>2482</u>		MOTION to Withdraw as Attorney <i>Winnifred Lewis</i> by Blue Cross Blue Shield Antitrust Litigation MDL 2406, Blue Cross and Blue Shield of Alabama. (Lewis, Winnifred) (Entered: 07/10/2019)
07/11/2019	2483		TEXT ORDER This matter is before the court on the Motion to Withdraw filed by Winnifred A. Lewis. <u>2482</u> The Motion is GRANTED. The Clerk of the Court is directed to terminate attorney Lewis. Signed by Judge R David Proctor on 7/11/2019. (KAM) (Entered: 07/11/2019)
07/15/2019	<u>2484</u>		NOTICE by Defendants' Counsel of <i>Filing Under Seal</i> (Kimble, Cavender) (Entered: 07/15/2019)
07/15/2019	<u>2485</u>		NOTICE by Defendants' Counsel <i>Executive Summary of Expert Report of Dr. Kevin R. Murphy PhD</i> (Hoover, Craig) (Entered: 07/15/2019)
07/15/2019	<u>2486</u>		NOTICE by Defendants' Counsel <i>Executive Summary of Expert Report of Dr. Erin E. Trish, PhD</i> (Hoover, Craig) (Entered: 07/15/2019)
07/15/2019	<u>2487</u>		

			NOTICE by Defendants' Counsel <i>Defendants' Executive Summary of Expert Report of Dr. David S. Evans</i> (Hoover, Craig) (Entered: 07/15/2019)
07/15/2019	<u>2488</u>		NOTICE by Defendants' Counsel <i>Executive Summary of the Expert Report of Dr. Lawrence Wu</i> (Hoover, Craig) (Entered: 07/15/2019)
07/15/2019	<u>2489</u>		NOTICE by Defendants' Counsel <i>Executive Summary of the Expert Report of Dr. Janusz Ordoover</i> (Hoover, Craig) (Entered: 07/15/2019)
07/15/2019	<u>2490</u>		Opposition to re <u>2415</u> , <u>2409</u> , <u>2407</u> <i>Defendants' Opposition to Subscribers' and Providers' Motions for Class Certification</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 07/15/2019)
07/15/2019	<u>2491</u>		***Document Sealed*** DEFENDANTS' Opposition to Subscribers' and Providers' Motions for Class Certification (KAM) (Entered: 07/16/2019)
07/15/2019	<u>2492</u>		***Document Sealed*** Executive Summary of Expert Report of Dr. Erin E. Trish PH.D. (KAM) (Entered: 07/16/2019)
07/15/2019	<u>2493</u>		***Document Sealed***Executive Summary of Expert Report of Dr. Kevin R. Murphy, PH.D (KAM) (Entered: 07/16/2019)
07/16/2019	<u>2494</u>		MOTION to Withdraw as Attorney by Plaintiffs' Counsel. (Burns, Erin) (Entered: 07/16/2019)
07/16/2019	<u>2495</u>		NOTICE of Change of Address by Stephen A Walsh (Walsh, Stephen) (Entered: 07/16/2019)
07/17/2019	<u>2496</u>		NOTICE by Defendants' Counsel re <u>2491</u> Document Sealed <i>Notice of Correction to Sealed Filing</i> (Hoover, Craig) (Entered: 07/17/2019)
07/17/2019	<u>2497</u>		ORDER The court again CONTINUES the deadline for addressing how ASOs might fit into or relate to this MDL, and ORDERS that, in preparation for the August 2019 status conference, the parties SHALL meet and confer and be prepared to discuss a plan for addressing ASOs. In advance of the August hearing, the parties SHALL submit a joint report including a list of (1) all ASOs and (2) who may represent the ASOs in any discussions about resolution or other litigation matters. Signed by Judge R David Proctor on 7/17/2019. (KAM) (Entered: 07/17/2019)
07/17/2019	<u>2498</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on July 22, 2019 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 07/17/2019)
07/22/2019			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 7/22/2019. (Court Reporter Risa Entrekin.) (KLL) (Entered: 07/22/2019)
07/22/2019	2499		TEXT ORDER —This matter is before the court on the Motion to Withdraw as Counsel filed by Erin C. Burns. <u>2494</u> The Motion is GRANTED . The Clerk of the Court is directed to terminate attorney Burns. Signed by Judge R David Proctor on 7/22/2019. (KEK) (Entered: 07/22/2019)
07/22/2019	<u>2500</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 7/22/2019. (KEK) (Entered: 07/22/2019)

07/22/2019	<u>2501</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 7/22/2019. (KEK) (Entered: 07/22/2019)
07/25/2019	<u>2502</u>		Transcript of Proceedings held on 7/22/2019, before Judge R David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/15/2019. Redacted Transcript Deadline set for 8/25/2019. Release of Transcript Restriction set for 10/23/2019. (KEK) (Entered: 07/25/2019)
07/26/2019	<u>2503</u>		***VACATED*** SIXTH AMENDED SCHEDULING ORDER: certain time limits apply as set out in this order. Signed by Judge R David Proctor on 7/25/2019. (KAM) Modified on 9/23/2019 (KE). (Entered: 07/26/2019)
07/26/2019	<u>2504</u>		NOTICE of Appearance by Anna M Clark on behalf of Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield (Clark, Anna) (Entered: 07/26/2019)
07/26/2019	<u>2505</u>		NOTICE of Appearance by John G Schmidt, Jr on behalf of Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield (Schmidt, John) (Entered: 07/26/2019)
07/26/2019	<u>2506</u>		NOTICE of Appearance by Edward S Bloomberg on behalf of Excellus Health Plan, Inc. d/b/a Excellus BlueCrossBlueShield (Bloomberg, Edward) (Entered: 07/26/2019)
08/02/2019	<u>2507</u>		ORDER Status Conference set for 8/15/2019 09:30 AM before Judge R David Proctor. The Special Master will provide a call-in number for the conference. On or before Tuesday, August 13, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 8/2/2019. (KAM) (Entered: 08/02/2019)
08/13/2019	<u>2508</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on August 15, 2019 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 08/13/2019)
08/15/2019			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 8/15/2019. (Court Reporter Risa Entrekin.) (KLL) (Entered: 08/15/2019)
08/22/2019	<u>2509</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2019 through July 31, 2019 in this matter relating solely to services provided to the Plaintiffs, totaling \$43,500.00. Signed by Judge R David Proctor on 8/22/2019. (JLC) (Entered: 08/22/2019)

08/22/2019	<u>2510</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2019 through July 31, 2019 in this matter as it relates to services rendered for both sides of the case and totaling \$9,000.00. Signed by Judge R David Proctor on 8/22/2019. (JLC) (Entered: 08/22/2019)
09/03/2019	<u>2511</u>		ORDER Telephone Status Conference set for 9/23/2019 10:00 AM before Judge R David Proctor. The Special Master will provide a call-in number for the telephone status conference, and for caucuses to take place following the status conference. On or before Thursday, September 19, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 9/3/2019. (KAM) (Entered: 09/03/2019)
09/19/2019	<u>2512</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on September 23, 2019 at 10:00 A.M.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 09/19/2019)
09/23/2019			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 9/23/2019. (Court Reporter Risa Entrekin.) (KLL) (Entered: 09/23/2019)
09/23/2019	<u>2513</u>		ORDER – The Sixth Amended Scheduling Order (Doc. # 2503) is VACATED. All deadlines are further STAYED for ninety (90) days. If appropriate, the stay may be further extended by agreement among the parties or by the court. In the event the stay is not further extended, the parties SHALL meet and confer upon expiration of the stay and, within two weeks from the expiration of the stay, the parties SHALL submit a joint filing with their respective positions on the schedule moving forward. Signed by Judge R David Proctor on 9/23/2019. (KEK) (Entered: 09/23/2019)
09/23/2019	<u>2514</u>		ORDER – This case is SET for a status conference at 10:00 a.m. on Thursday, October 17, 2019 in Chicago, Illinois at the offices of Kirkland & Ellis LLP, 300 North LaSalle, Chicago, IL 60654. The Special Master will provide a call-in number for the telephone status conference. On or before Monday, October 14, 2019, (1) the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference; and (2) for security purposes, counsel attending in person SHALL notify the Special Master. Signed by Judge R David Proctor on 9/23/2019. (KEK) (Entered: 09/23/2019)
09/24/2019	<u>2515</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from August 1, 2019 through August 31, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$45,500.00. Signed by Judge R David Proctor on 9/24/2019. (KAM) (Entered: 09/24/2019)
09/24/2019	<u>2516</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from August 1, 2019 through August 31, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$3,500.00. Signed by Judge R David Proctor on 9/24/2019. (KAM) (Entered: 09/24/2019)
09/25/2019	<u>2517</u>		Transcript of Proceedings(Telephonic Status Conference) held on 9/23/2019, before Judge R. David Proctor. Court Reporter/Transcriber Risa Entrekin.

		<p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/16/2019. Redacted Transcript Deadline set for 10/26/2019. Release of Transcript Restriction set for 12/24/2019. (KAM) (Entered: 09/25/2019)</p>
10/14/2019	<u>2518</u>	<p>STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on October 17, 2019 at 10:00 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 10/14/2019)</p>
10/17/2019		<p>Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 10/17/2019. (Court Reporter Risa Entrekin.) (KLL) (Entered: 10/17/2019)</p>
10/17/2019	<u>2519</u>	<p>Transcript of Proceedings held on 10/17/2019, before Judge R. David Proctor. Court Reporter/Transcriber Risa Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/7/2019. Redacted Transcript Deadline set for 11/17/2019. Release of Transcript Restriction set for 1/15/2020. (KAM) (Entered: 10/17/2019)</p>
10/23/2019	<u>2520</u>	<p>ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2019 through September 30, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$51,000.00. Signed by Judge R David Proctor on 10/22/2019. (KAM) (Entered: 10/23/2019)</p>
10/23/2019	<u>2521</u>	<p>ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2019 through September 30, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,000.00. Signed by Judge R David Proctor on 10/22/2019. (KAM) (Entered: 10/23/2019)</p>
11/08/2019	<u>2522</u>	<p>ORDER SETTING STATUS CONFERENCE; A Status Conference is hereby set for Thursday, December 19, 2019 at 9:30 a.m., in Courtroom 8 of the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama. The Special Master will provide a call-in number for the Conference. On or before Monday, December 16, 2019, the parties SHALL submit a Joint Report containing a proposed agenda of items the</p>

			parties wish to be addressed during the Status Conference. Signed by Judge R David Proctor on 11/8/2019. (JLC) Modified on 11/12/2019 (KLL,). (Entered: 11/08/2019)
11/26/2019	<u>2523</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from October 1, 2019 through October 31, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$59,500.00. Signed by Judge R David Proctor on 11/26/2019. (KAM) (Entered: 11/26/2019)
11/26/2019	<u>2524</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from October 1, 2019 through October 31, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$8,500.00. Signed by Judge R David Proctor on 11/26/2019. (KAM) (Entered: 11/26/2019)
12/10/2019	<u>2525</u>		ORDER The status conference currently set at 9:30 a.m. on Thursday, December 19, 2019, will now be conducted by telephone. The Special Master will provide a call-in number for the telephone status conference, and for caucuses to take place following the status conference. Counsel planning to attend the telephone conference and caucuses should inform the Special Master of their plans to attend, and the parties SHALL designate those persons who plan to address the court on the calls.1 On or before Monday, December 16, 2019, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the telephone status conference. Signed by Judge R David Proctor on 12/10/2019. (KAM) (Entered: 12/10/2019)
12/16/2019	<u>2526</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on December 19, 2019 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 12/16/2019)
12/19/2019			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 12/19/2019. (Court Reporter Risa Entrekin.) (KLL) (Entered: 12/19/2019)
12/20/2019	<u>2527</u>		ORDER that this case is SET for a Status Conference at 10.00 a.m. on Friday, January 31, 2020, at the Sam M. Gibbons United States Courthouse, 801 North Florida Avenue, Tampa, Florida 33602, in the seventeenth floor courtroom. The Special Master will provide a call-in number for the Telephone Status Conference. On or before Monday, January 27, 2020, the parties SHALL submit a Joint Report containing a proposed agenda of items the parties wish to be addressed during the Status Conference. Signed by Judge R David Proctor on 12/20/2019. (JLC) (Entered: 12/20/2019)
12/20/2019	<u>2528</u>		MOTION to Withdraw as Attorney <i>Charles L. Sweeris</i> by California Physicians Service d/b/a Blue Shield of California. (Sweeris, Charles) (Entered: 12/20/2019)
12/20/2019	2529		TEXT ORDER GRANTING <u>2528</u> MOTION to Withdraw as Attorney. Charles L. Sweeris terminated. Signed by Judge R David Proctor on 12/20/2019. (JLC) (Entered: 12/20/2019)
12/26/2019	<u>2530</u>		Transcript of Proceedings held on 12/19/2019, before Judge R. David Proctor. Court Reporter/Transcriber Risa Entrekin. Transcript may be viewed

		<p>at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 1/16/2020. Redacted Transcript Deadline set for 1/26/2020. Release of Transcript Restriction set for 3/25/2020. (KAM) (Entered: 12/26/2019)</p>
12/30/2019	<u>2531</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2019 through November 30, 2019 in this matter as it relates to services rendered for both sides of the case, and totaling \$1,500.00. Signed by Judge R David Proctor on 12/30/2019. (KAM) (Entered: 12/30/2019)
12/30/2019	<u>2532</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2019 through November 30, 2019 in this matter relating solely to services provided to the Plaintiffs, and totaling \$47,200.00. Signed by Judge R David Proctor on 12/30/2019. (KAM) (Entered: 12/30/2019)
12/31/2019	<u>2533</u>	MOTION to Withdraw as Attorney <i>Laura Alexander</i> by Plaintiffs' Counsel. (Small, Daniel) (Entered: 12/31/2019)
12/31/2019	<u>2534</u>	MOTION to Withdraw as Attorney by UnitedHealth Group Incorporated. (Robertson, Douglas) (Entered: 12/31/2019)
01/03/2020	2535	TEXT ORDER This matter is before the court on the Motions to Withdraw filed by Attorneys Laura Alexander <u>2533</u> and Douglas N. Robertson <u>2534</u> . The Motions are GRANTED . The Clerk of the Court is directed to terminate attorneys Alexander and Robertson. Signed by Judge R David Proctor on 1/3/2020. (KAM) (Entered: 01/03/2020)
01/06/2020	<u>2536</u>	ORDER By agreement of the parties, all deadlines will remain STAYED until further order of the court. The status of the stay will be discussed at the January 31, 2020 status conference. Signed by Judge R David Proctor on 1/6/2020. (KAM) (Entered: 01/06/2020)
01/23/2020	<u>2537</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 1/23/2019. (JLC) (Entered: 01/23/2020)
01/23/2020	<u>2538</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 1/23/2019. (JLC) (Entered: 01/23/2020)
01/27/2020	<u>2539</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on January 31, 2020 at 10:00 a.m. in Tampa, Florida</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 01/27/2020)
01/31/2020		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 1/31/2020. The March status conference will be set by

		separate court order. (Court Reporter Howard Jones.) (Gretchen O'Brien, CRD) (Entered: 01/31/2020)
02/13/2020	<u>2540</u>	Transcript of Proceedings held on 1/31/2020, before Judge R. David Proctor. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy (JLC) (Entered: 02/13/2020)
02/13/2020	<u>2541</u>	ORDER The status of the pending stay of this case will be discussed at the next status conference, which the court anticipates will be set in April 2020. In light of the continued stay, the Clerk of the Court is directed to administratively terminate all pending motions. Any such motions may be re-filed, if appropriate, after the stay is lifted. Signed by Judge R David Proctor on 2/13/2020. (KAM) (Entered: 02/13/2020)
02/17/2020	<u>2542</u>	NOTICE by Plaintiffs' Counsel <i>Change of Firm and Address</i> (Cain, Christopher) (Entered: 02/17/2020)
02/19/2020	<u>2543</u>	ORDER Telephone Status Conference set for 3/4/2020 09:30 AM before Judge R David Proctor. The Special Master will provide a call-in number for the telephone status conference, and for caucuses to take place following the status conference. On or before Monday, March 2, 2020, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 2/19/2020. (KAM) (Entered: 02/19/2020)
02/24/2020	<u>2544</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 2/24/2020. (JLC) (Entered: 02/24/2020)
02/24/2020	<u>2545</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 2/24/2020. (JLC) (Entered: 02/24/2020)
03/02/2020	<u>2546</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on March 4, 2020 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 03/02/2020)
03/04/2020		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 3/4/2020. The April status conference will be set by separate order. (Court Reporter Risa Entrekin. TRANSCRIPT OF PROCEEDINGS SEALED) (KLL) (Entered: 03/04/2020)
03/06/2020	<u>2547</u>	SEALED Transcript of Proceedings held on 3/4/2020, before Judge R. David Proctor. Court Reporter/Transcriber Risa Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%

			20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 3/27/2020. Redacted Transcript Deadline set for 4/6/2020. Release of Transcript Restriction set for 6/4/2020. (KAM) (Entered: 03/06/2020)
03/17/2020	<u>2548</u>		ORDER Telephone Status Conference set for 4/16/2020 09:30 AM before Judge R David Proctor; The Special Master will provide a call-in number for the telephone status conference, and for caucuses to take place following the status conference; On or before Monday, April 13, 2020, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 3/17/2020. (KAM) (Entered: 03/17/2020)
03/23/2020	<u>2549</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from February 1, 2020 through February 29, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$50,800.00. Signed by Judge R David Proctor on 3/23/2020. (KAM) (Entered: 03/23/2020)
03/23/2020	<u>2550</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from February 1, 2020 through February 29, 2020 in this matter as it relates to services rendered for both sides of the case, and totaling \$4,500.00. Signed by Judge R David Proctor on 3/23/2020. (KAM) (Entered: 03/23/2020)
04/13/2020	<u>2551</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on April 16, 2020 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 04/13/2020)
04/16/2020			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 4/16/2020. A separate order will be entered setting May status conference. (Court Reporter Risa Entrekina.) (KLL) (Entered: 04/16/2020)
04/17/2020	<u>2552</u>		Transcript of Proceedings held on April 16, 2020, before Judge R David Proctor. Court Reporter/Transcriber Risa L. Entrekina. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 5/8/2020. Redacted Transcript Deadline set for 5/18/2020. Release of Transcript Restriction set for 7/16/2020. (KAM) (Entered: 04/17/2020)
04/22/2020	<u>2553</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from March 1, 2020 through March 31, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$62,500.00. Signed by Judge R David Proctor on 4/22/2020. (KAM) (Entered: 04/22/2020)

04/22/2020	<u>2554</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from March 1, 2020 through March 31, 2020 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,000.00. Signed by Judge R David Proctor on 4/22/2020. (KAM) (Entered: 04/22/2020)
04/24/2020	<u>2555</u>		NOTICE by Defendants' Counsel re <u>2485</u> Notice (Other), <u>2486</u> Notice (Other) <i>Defendants' Notice of Re-Filing Certain Expert Executive Summaries</i> (Attachments: # <u>1</u> Exhibit – Executive Summary of Expert Report of Dr. Kevin R. Murphy, Ph.D., # <u>2</u> Exhibit – Executive Summary of Expert Report of Dr. Erin E. Trish, Ph.D.)(Donnell, Sarah) (Entered: 04/24/2020)
04/24/2020	<u>2556</u>		ORDER UNSEALING CERTAIN DOCUMENTS. Signed by Judge R David Proctor on 4/23/2020. (KAM) (Entered: 04/24/2020)
04/24/2020	<u>2557</u>		NOTICE by Defendants' Counsel re <u>2476</u> Document Sealed <i>Defendants Notice of Re-Filing of Memorandum of Law In Support of Defendants Motion to Exclude or Strike Expert Testimony, Opinions, And Analysis of Dr. Deborah Haas-Wilson And One Exhibit Thereto</i> (Attachments: # <u>1</u> Exhibit Memorandum Of Law In Support Of Defendants Motion To Exclude Or Strike Expert Testimony, Opinions, And Analysis Of Dr. Deborah Haas-Wilson, # <u>2</u> Exhibit 9)(Hogan, E) (Entered: 04/24/2020)
04/24/2020	<u>2558</u>		NOTICE by Defendants' Counsel re <u>2475</u> Document Sealed <i>Defendants Notice of Re-Filing of Memorandum of Law In Support of Defendants Motion to Exclude or Strike The Expert Testimony, Opinions, And Analysis of Dr. Ariel Pakes And Certain Exhibits Thereto</i> (Attachments: # <u>1</u> Exhibit Memorandum of Law In Support Of Defendants Motion to Exclude or Strike The Expert Testimony, Opinions, And Analysis of Dr. Ariel Pakes, # <u>2</u> Exhibit 9, # <u>3</u> Exhibit 14)(Hogan, E) (Entered: 04/24/2020)
04/24/2020	<u>2559</u>		NOTICE by Blue Cross Blue Shield Michigan re <u>2472</u> Evidentiary Material, <u>2471</u> <i>Motion to Strike, Defendants Notice of Re-filing Defendants Motion to Exclude Provider Plaintiffs Expert Dr. Daniel J. Slottje and Certain Related Exhibits</i> (Attachments: # <u>1</u> Defendants' Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje, # <u>2</u> Defendants' Memorandum of Law in Support of Their Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje, # <u>3</u> Exhibit 1 – Excerpts of Dr. Slottje Deposition Transcript)(Stenerson, Todd) (Entered: 04/24/2020)
04/27/2020	<u>2560</u>		Brief <i>REPORT & RECOMMENDATION OF SEAL MASTER REGARDING CERTAIN DEFENDANTS JUSTIFICATIONS TO MAINTAIN SEAL ON CERTAIN EXHIBITS TO SUBSCRIBERS MOTIONS FOR CLASS CERTIFICATION</i> . (Harwood, R) (Entered: 04/27/2020)
04/27/2020	<u>2561</u>		AMENDED ORDER UNSEALING CERTAIN DOCUMENTS. Signed by Judge R David Proctor on 4/27/2020. (KAM) (Entered: 04/27/2020)
04/28/2020	<u>2562</u>		ORDER Telephone Status Conference set for 5/19/2020 09:30 AM before Judge R David Proctor. The Special Master will provide a call-in number for the telephone status conference, and for caucuses to take place following the status conference. On or before Friday, May 15, 2020, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David

		Proctor on 4/28/2020. (KAM) (Entered: 04/28/2020)
04/30/2020	<u>2563</u>	NOTICE by Defendants' Counsel re <u>2491</u> Document Sealed <i>Defendants Notice Of Re–Filing Of Defendants Opposition To Subscribers And Providers Motions For Class Certification</i> (Attachments: # <u>1</u> Exhibit Defendants Opposition To Subscribers And Providers Motions For Class Certification)(Hoover, Craig) (Entered: 04/30/2020)
04/30/2020	<u>2564</u>	Evidentiary Material re: <u>2491</u> Document Sealed <i>Evidentiary Submission In Support Of Defendants Opposition To Subscribers And Providers Motions For Class Certification</i> . (Attachments: # <u>1</u> Exhibit DX167, # <u>2</u> Exhibit DX168, # <u>3</u> Exhibit DX169, # <u>4</u> Exhibit DX170, # <u>5</u> Exhibit DX171, # <u>6</u> Exhibit DX172, # <u>7</u> Exhibit DX173, # <u>8</u> Exhibit DX174, # <u>9</u> Exhibit DX175, # <u>10</u> Exhibit DX176, # <u>11</u> Exhibit DX177, # <u>12</u> Exhibit DX178, # <u>13</u> Exhibit DX179, # <u>14</u> Exhibit DX180, # <u>15</u> Exhibit DX182, # <u>16</u> Exhibit DX183, # <u>17</u> Exhibit DX184, # <u>18</u> Exhibit DX185, # <u>19</u> Exhibit DX186, # <u>20</u> Exhibit DX187, # <u>21</u> Exhibit DX188, # <u>22</u> Exhibit DX189, # <u>23</u> Exhibit DX190, # <u>24</u> Exhibit DX191, # <u>25</u> Exhibit DX192, # <u>26</u> Exhibit DX193, # <u>27</u> Exhibit DX199, # <u>28</u> Exhibit DX200, # <u>29</u> Exhibit DX203, # <u>30</u> Exhibit DX204, # <u>31</u> Exhibit DX205, # <u>32</u> Exhibit DX206, # <u>33</u> Exhibit DX207, # <u>34</u> Exhibit DX208, # <u>35</u> Exhibit DX209, # <u>36</u> Exhibit DX211, # <u>37</u> Exhibit DX214, # <u>38</u> Exhibit DX215, # <u>39</u> Exhibit DX223, # <u>40</u> Exhibit DX224, # <u>41</u> Exhibit DX226, # <u>42</u> Exhibit DX228, # <u>43</u> Exhibit DX229, # <u>44</u> Exhibit DX231, # <u>45</u> Exhibit DX232, # <u>46</u> Exhibit DX233, # <u>47</u> Exhibit DX234, # <u>48</u> Exhibit DX235, # <u>49</u> Exhibit DX238, # <u>50</u> Exhibit DX248, # <u>51</u> Exhibit DX249, # <u>52</u> Exhibit DX250, # <u>53</u> Exhibit DX251, # <u>54</u> Exhibit DX252, # <u>55</u> Exhibit DX253, # <u>56</u> Exhibit DX254, # <u>57</u> Exhibit DX255, # <u>58</u> Exhibit DX256, # <u>59</u> Exhibit DX257, # <u>60</u> Exhibit DX258, # <u>61</u> Exhibit DX259, # <u>62</u> Exhibit DX260, # <u>63</u> Exhibit DX260.5, # <u>64</u> Exhibit DX261, # <u>65</u> Exhibit DX262, # <u>66</u> Exhibit DX263, # <u>67</u> Exhibit DX264, # <u>68</u> Exhibit DX265, # <u>69</u> Exhibit DX266, # <u>70</u> Exhibit DX267, # <u>71</u> Exhibit DX268, # <u>72</u> Exhibit DX269, # <u>73</u> Exhibit DX270, # <u>74</u> Exhibit DX271, # <u>75</u> Exhibit DX272, # <u>76</u> Exhibit DX273, # <u>77</u> Exhibit DX274, # <u>78</u> Exhibit DX275, # <u>79</u> Exhibit DX276, # <u>80</u> Exhibit DX277)(Hoover, Craig) (Entered: 04/30/2020)
04/30/2020	<u>2565</u>	NOTICE by Defendants' Counsel re <u>2564</u> Evidentiary Material,,,,,, <i>Notice of Sealed Filing Regarding Evidentiary Submission in Support of Defendants' Opposition to Subscribers' and Providers' Motions for Class Certification</i> (Kimble, Cavender) (Additional attachment(s) added on 5/4/2020: # <u>1</u> Exhibit 165, # <u>2</u> Exhibit 166, # <u>3</u> Exhibit 174, # <u>4</u> Exhibit 176, # <u>5</u> Exhibit 178, # <u>6</u> Exhibit 180, # <u>7</u> Exhibit 181, # <u>8</u> Exhibit 190, # <u>9</u> Exhibit 191, # <u>10</u> Exhibit 194, # <u>11</u> Exhibit 195, # <u>12</u> Exhibit 196, # <u>13</u> Exhibit 197, # <u>14</u> Exhibit 198, # <u>15</u> Exhibit 201, # <u>16</u> Exhibit 202, # <u>17</u> Exhibit 203, # <u>18</u> Exhibit 205, # <u>19</u> Exhibit 207, # <u>20</u> Exhibit 210, # <u>21</u> Exhibit 212, # <u>22</u> Exhibit 213, # <u>23</u> Exhibit 213.5, # <u>24</u> Exhibit 216, # <u>25</u> Exhibit 217, # <u>26</u> Exhibit 218, # <u>27</u> Exhibit 219, # <u>28</u> Exhibit 220, # <u>29</u> Exhibit 221, # <u>30</u> Exhibit 222, # <u>31</u> Exhibit 223, # <u>32</u> Exhibit 225, # <u>33</u> Exhibit 227, # <u>34</u> Exhibit 228, # <u>35</u> Exhibit 230, # <u>36</u> Exhibit 236, # <u>37</u> Exhibit 237, # <u>38</u> Exhibit 239, # <u>39</u> Exhibit 240, # <u>40</u> Exhibit 241, # <u>41</u> Exhibit 242, # <u>42</u> Exhibit 243, # <u>43</u> Exhibit 244, # <u>44</u> Exhibit 245, # <u>45</u> Exhibit 246, # <u>46</u> Exhibit 247, # <u>47</u> Exhibit 261, # <u>48</u> Exhibit 278, # <u>49</u> Exhibit 279 part 1, # <u>50</u> Exhibit 279 part 2, # <u>51</u> Exhibit 280, # <u>52</u> Exhibit 281, # <u>53</u> Exhibit 282) (KAM,). Modified on 5/19/2020 (KAM,). (Entered: 04/30/2020)

05/08/2020	<u>2566</u>		NOTICE by Plaintiffs' Counsel re <u>2408</u> Brief of <i>Subscribers Amended Filing</i> (Attachments: # <u>1</u> Exhibit 1)(Stokes, Tammy) (Entered: 05/08/2020)
05/08/2020	<u>2567</u>		NOTICE by Plaintiffs' Counsel re <u>2410</u> Brief, of <i>Subscribers' Amended Filing</i> (Attachments: # <u>1</u> Exhibit 1)(Stokes, Tammy) (Entered: 05/08/2020)
05/08/2020	<u>2568</u>		NOTICE by Plaintiffs' Counsel re <u>2457</u> Evidentiary Material,,,, of <i>Subscribers' Amended Filing of Exhibit 414 [2457-41]</i> (Attachments: # <u>1</u> Exhibit 1)(Stokes, Tammy) (Entered: 05/08/2020)
05/08/2020	<u>2569</u>		NOTICE by Plaintiffs' Counsel re <u>1555</u> Document Sealed, of <i>Subscribers' Amended Filing of Exhibit 318 [1555-2]</i> (Attachments: # <u>1</u> Exhibit 1)(Stokes, Tammy) (Entered: 05/08/2020)
05/11/2020	<u>2570</u>		ORDER UNSEALING CERTAIN DOCUMENTS the Clerk of the Court is directed to unseal the following documents and/or exhibits: [1350-23] and { 1436-46}. Signed by Judge R David Proctor on 5/11/2020. (KAM) (Entered: 05/11/2020)
05/15/2020	<u>2571</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on May 19 2020</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 05/15/2020)
05/19/2020			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 5/19/2020. A separate order will be entered setting the June status conference. (Court Reporter Risa Entrekin.) (KLL) (Entered: 05/19/2020)
05/20/2020	<u>2572</u>		Transcript of Proceedings held on 5/19/2020, before Judge R David Proctor. Court Reporter/Transcriber Risa L. Entrekin, Telephone number 334-240-2405. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/10/2020. Redacted Transcript Deadline set for 6/20/2020. Release of Transcript Restriction set for 8/18/2020. (KEK) (Entered: 05/20/2020)
05/26/2020	<u>2573</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from April 1, 2020 through April 30, 2020 in this matter as it relates to services rendered for both sides of the case, and totaling \$5,000.00. Signed by Judge R David Proctor on 5/26/2020. (KAM) (Entered: 05/26/2020)
05/26/2020	<u>2574</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from April 1, 2020 through April 30, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$50,500.00. Signed by Judge R David Proctor on 5/26/2020. (KAM) (Entered: 05/26/2020)

05/26/2020	<u>2575</u>	***Document Sealed*** SUBSCRIBER PLAINTIFF'S Redacted copy of privileged material contained within Memorandum of points and authorities in support of Subscriber Plaintiff's Motion for Partial Summary Judgment on the application of the Per Se Rule originally filed July 17, 2017 <u>1351</u> (KAM) (Entered: 05/26/2020)
05/26/2020	<u>2576</u>	***Document Sealed*** SUBSCRIBER PLAINTIFF'S REDACTED copy of privileged material contained within Reply Memorandum of points and authorities in further support of Subscriber Plaintiff's Motion for Partial Summary Judgment on the application of the Per Se Rule originally filed on September 15, 2017 <u>1554</u> (KAM) (Entered: 05/26/2020)
05/27/2020	<u>2577</u>	ORDER Telephone Status Conference set for 6/22/2020 09:30 AM before Judge R David Proctor. The Special Master will provide a call-in number for the telephone status conference, and information regarding caucuses to take place following the status conference. On or before Thursday, June 18, 2020, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 5/27/2020. (KAM) (Entered: 05/27/2020)
05/28/2020	<u>2578</u>	NOTICE by Defendants' Counsel re <u>1352</u> Document Sealed,,,,,,,,,,,,,,,,,,,,, <u>1554</u> Document Sealed, <u>1555</u> Document Sealed,, <u>1351</u> Document Sealed, <i>Joint Notice on Certain Standard of Review Materials Filed Under Seal</i> (Hogewood, Mark) (Entered: 05/28/2020)
05/28/2020	<u>2579</u>	NOTICE by Defendants' Counsel <i>Joint Notice on Certain Class Certification Material Filed Under Seal</i> <u>2415</u> (Hogewood, Mark) (Entered: 05/28/2020)
05/28/2020	<u>2580</u>	ORDER UNSEALING CERTAIN DOCUMENTS – In light of the Report, the Clerk of the Court is directed to unseal the following document and/or exhibit: 6/18/2019 Subscriber Plaintiffs' Exhibit 373 (<u>2453</u> –5). Signed by Judge R David Proctor on 5/28/2020. (KEK) (Entered: 05/28/2020)
06/02/2020	<u>2581</u>	NOTICE by Defendants' Counsel <i>Notice of Filing Joint Comprehensive Index Regarding Exhibits to the Motions for Summary Judgment Related to the Standard of Review</i> <u>1353</u> <u>1349</u> <u>1429</u> <u>1432</u> <u>1551</u> <u>1556</u> <u>1348</u> <u>2575</u> <u>2021</u> <u>1434</u> <u>1435</u> <u>2016</u> <u>2576</u> <u>2017</u> <u>1350</u> <u>2001</u> <u>1431</u> <u>2002</u> <u>1557</u> <u>2003</u> (Attachments: # <u>1</u> Exhibit Joint Index of Standard of Review Briefing Exhibits)(Hogewood, Mark) (Entered: 06/02/2020)
06/02/2020	<u>2582</u>	NOTICE by Defendants' Counsel <i>Notice of Filing Joint Comprehensive Index Regarding Class Certification Material</i> <u>2563</u> <u>2491</u> <u>2487</u> <u>2555</u> <u>2493</u> <u>2489</u> <u>2492</u> <u>2488</u> <u>2466</u> <u>2557</u> <u>2476</u> <u>2468</u> <u>2558</u> <u>2475</u> <u>2465</u> <u>2559</u> <u>2480</u> <u>2478</u> <u>2409</u> <u>2567</u> <u>2410</u> <u>2407</u> <u>2566</u> <u>2411</u> <u>2421</u> <u>2413</u> <u>2414</u> <u>2412</u> (Attachments: # <u>1</u> Exhibit Joint Index of Class Certification Briefing and Related Filings)(Hogewood, Mark) (Entered: 06/02/2020)
06/18/2020	<u>2583</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on June 22, 2020 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 06/18/2020)
06/22/2020		Minute Entry for proceedings held before Judge R David Proctor: Telephone Status Conference held on 6/22/2020. The July status conference will be set by separate court order. (Court Reporter Risa Entrekin.) (KLL) (Entered: 06/22/2020)

06/22/2020	<u>2584</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2020 through May 31, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$46,500.00. Signed by Judge R David Proctor on 6/22/2020. (KAM) (Entered: 06/22/2020)
06/22/2020	<u>2585</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2020 through May 31, 2020 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,000.00. Signed by Judge R David Proctor on 6/22/2020. (KAM) (Entered: 06/22/2020)
06/23/2020	<u>2586</u>		Transcript of Proceedings held on 6/22/2020, before Judge R David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/14/2020. Redacted Transcript Deadline set for 7/24/2020. Release of Transcript Restriction set for 9/21/2020. (KAM) (Entered: 06/23/2020)
06/26/2020	<u>2587</u>		NOTICE of Change of Address by William A Isaacson (Isaacson, William) (Entered: 06/26/2020)
07/07/2020	<u>2588</u>		ORDER Telephone Conference set for 7/28/2020 09:30 AM before Judge R David Proctor. The Special Master will provide a call-in number for the telephone status conference, and information regarding caucuses to take place following the status conference. On or before Friday, July 24, 2020, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 7/7/2020. (KAM) (Entered: 07/07/2020)
07/22/2020	<u>2589</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from June 1, 2020 through June 30, 2020 in this matter as it relates to services rendered for both sides of the case, and totaling \$5,000.00. Signed by Judge R David Proctor on 7/22/2020. (KAM) (Entered: 07/22/2020)
07/22/2020	<u>2590</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from June 1, 2020 through June 30, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$47,000.00. Signed by Judge R David Proctor on 7/22/2020. (KAM) (Entered: 07/22/2020)
07/24/2020	<u>2591</u>		STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on July 28, 2020 at 9:30 a.m.</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 07/24/2020)
07/24/2020	<u>2592</u>		

			MOTION to Withdraw as Attorney for <i>Subscriber Plaintiffs [Jason M. Knott]</i> by Plaintiffs' Counsel. (Knott, Jason) (Entered: 07/24/2020)
07/24/2020	<u>2593</u>		TEXT ORDER – This matter is before the court on the Withdrawal of Appearance filed by Jason M. Knott. <u>2592</u> . The Withdrawal <u>2592</u> is GRANTED . The Clerk of the Court is DIRECTED to TERMINATE Attorney Knott. Signed by Judge R David Proctor on 7/24/2020. (KAM) (Entered: 07/24/2020)
07/28/2020			Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 7/28/2020. A separate order will be entered by the court setting the status conference for August 2020. (Court Reporter Risa Entrekin.) (KLL) (Entered: 07/28/2020)
07/29/2020	<u>2594</u>		ORDER The parties SHALL meet and confer about (1) lifting the stay and (2) developing a schedule for proceedings once the stay is lifted; On or before August 31, 2020,1 the parties SHALL file a joint report regarding lifting the stay and how matters on the Providers claims should proceed thereafter. Signed by Judge R David Proctor on 7/29/2020. (KAM) (Entered: 07/29/2020)
07/30/2020	<u>2595</u>		Transcript of Proceedings held on July 28, 2020, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 8/20/2020. Redacted Transcript Deadline set for 8/30/2020. Release of Transcript Restriction set for 10/28/2020. (KAM) (Entered: 07/30/2020)
08/21/2020	<u>2596</u>		NOTICE of Change of Address by Benjamin L Barnes (Barnes, Benjamin) (Entered: 08/21/2020)
08/25/2020	<u>2597</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2020 through July 31, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$32,500.00. Signed by Judge R David Proctor on 8/25/2020. (KAM) (Entered: 08/25/2020)
08/25/2020	<u>2598</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2020 through July 31, 2020 in this matter as it relates to services rendered for both sides of the case, and totaling \$4,000.00. Signed by Judge R David Proctor on 8/25/2020. (KAM) (Entered: 08/25/2020)
08/31/2020	<u>2599</u>		STATUS REPORT <i>Joint Report Regarding Proposed Schedule</i> by Defendants' Counsel. filed by Defendants' Counsel (Attachments: # <u>1</u> Exhibit 1– Proposed Seventh Amended Scheduling Order)(Hoover, Craig) (Entered: 08/31/2020)

09/22/2020	<u>2600</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 9/22/2020. (KEK) (Entered: 09/22/2020)
09/24/2020	<u>2601</u>	MOTION to Withdraw as Attorney <i>Casey R. Fronk</i> by California Physicians Service d/b/a Blue Shield of California. (Fronk, Casey) (Entered: 09/24/2020)
09/24/2020	2602	TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by attorney Casey R. Fronk. <u>2601</u> The Motion <u>2601</u> is GRANTED . The Clerk of the Court is DIRECTED to TERMINATE attorney Fronk. Signed by Judge R David Proctor on 9/24/2020. (KAM) (Entered: 09/24/2020)
10/01/2020	<u>2603</u>	SEVENTH AMENDED SCHEDULING ORDER (EXCLUSIVE TO PROVIDER TRACK) – certain time limits apply as set out in this order. Signed by Judge R David Proctor on 9/30/2020. (KAM) (Entered: 10/01/2020)
10/09/2020	<u>2604</u>	MOTION to Certify Class <i>Provider Plaintiffs' Renewed Motion for Class Certification and Supporting Memorandum</i> by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 10/09/2020)
10/09/2020	<u>2605</u>	RESPONSE in Opposition re <u>2604</u> MOTION to Certify Class <i>Provider Plaintiffs' Renewed Motion for Class Certification and Supporting Memorandum</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 10/09/2020)
10/09/2020	<u>2606</u>	***Document Sealed – Defendants' Opposition to <u>2604</u> Renewed Motion for Class Certification. (KEK) (Entered: 10/09/2020)
10/22/2020	<u>2607</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 10/22/2020. (KEK) (Entered: 10/22/2020)
10/22/2020	<u>2608</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 10/22/2020. (KEK) (Entered: 10/22/2020)
10/30/2020	<u>2609</u>	MOTION for Leave to File <i>Fourth Amended Consolidated Class Action Complaint</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – Proposed Complaint)(Guin, David) (Entered: 10/30/2020)
10/30/2020	<u>2610</u>	MOTION for Settlement <i>Subscriber Plaintiffs Motion for Preliminary Approval of Proposed Class Settlement</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Preliminary Approval of Proposed Class Settlement, # <u>2</u> Exhibit A Settlement Agreement, # <u>3</u> Exhibit B [Proposed] Order Preliminarily Approving Settlement, # <u>4</u> Exhibit C [Proposed] Final Approval Order of Settlement and Final Judgment and Order of Dismissal with Prejudice, # <u>5</u> Exhibit D [Proposed] Plan of Distribution, # <u>6</u> Exhibit E Settlement Class Counsel Declaration, # <u>7</u> Exhibit F Self-Funded Sub-Class Settlement Counsel Declaration, # <u>8</u> Exhibit G Declaration of Kenneth R. Feinberg, # <u>9</u> Exhibit H Declaration of Darrell Chodorow, # <u>10</u> Exhibit I Declaration of Dr. Daniel Rubinfeld, # <u>11</u> Exhibit J Declaration of Dr. Ariel Pakes, # <u>12</u> Exhibit K Declaration of Edgar C. Gentle)(Hausfeld, Michael) Modified on 12/1/2020 (KAM,). (Entered: 10/30/2020)

			10/30/2020)
10/30/2020	<u>2611</u>		MOTION for Settlement <i>Subscriber Plaintiffs Motion for Approval of Plan for Notice and Appointment of Claims Administrator</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Approval of Plan for Notice and Appointment of Claims Administrator, # <u>2</u> Declaration of Jennifer M. Keough Regarding Proposed Notice Plan (with Exhibits A–L))(Hausfeld, Michael) Modified on 12/1/2020 (KAM,). (Entered: 10/30/2020)
10/30/2020	<u>2612</u>		Brief <i>Defendants' Brief in Support of Subscriber Plaintiffs' Motion for Preliminary Approval of Proposed Class Settlement</i> . (Zott, David) (Entered: 10/30/2020)
10/30/2020	<u>2613</u>		Joint MOTION for Entry of Stipulation and Proposed Order Regarding Protected Health Information and Personally Identifiable Information for Subscriber Settlement by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order – Stipulation & Proposed Order)(Zott, David) (Entered: 10/30/2020)
11/02/2020	2614		TEXT ORDER This matter is before the court on the Motion of the Subscriber Plaintiffs to File Their Fourth Amended Consolidated Class Action Complaint. <u>2609</u> The Motion <u>2609</u> is GRANTED . Subscriber Plaintiffs are directed to file their proposed Fourth Amended Consolidated Class Action Complaint with the Clerk of Court. Signed by Judge R David Proctor on 11/2/2020. (KAM) (Entered: 11/02/2020)
11/02/2020	<u>2615</u>		STIPULATION AND ORDER REGARDING PROTECTED HEALTH INFORMATION AND PERSONALLY IDENTIFIABLE INFORMATION FOR SUBSCRIBER SETTLEMENT. Signed by Judge R David Proctor on 11/2/2020. (KAM) (Entered: 11/02/2020)
11/02/2020	<u>2616</u>		AMENDED COMPLAINT <i>Subscriber Plaintiffs' Fourth Amended Consolidated Class Action Complaint</i> against All Defendants, filed by Plaintiffs' Counsel.(Guin, David) (Entered: 11/02/2020)
11/03/2020	<u>2617</u>		Joint MOTION FOR ENTRY OF STIPULATION AND PROPOSED ORDER GOVERNING THE TAKING OF REMOTE DEPOSITIONS OF EXPERTS by Defendants' Counsel. (Attachments: # <u>1</u> Text of Proposed Order)(Hoover, Craig) (Entered: 11/03/2020)
11/04/2020	<u>2618</u>		STIPULATION AND ORDER GOVERNING THE TAKING OF REMOTE DEPOSITIONS OF EXPERTS – This matter is before the court on the Joint Motion for Entry of Stipulation and Proposed Order Governing the Taking of Remote Depositions of Experts (Doc. # <u>2617</u>), filed by Provider Plaintiffs and Defendants. The Joint Motion (Doc. # <u>2617</u>) is GRANTED. Signed by Judge R David Proctor on 11/4/2020. (KEK) (Entered: 11/04/2020)
11/04/2020	<u>2619</u>		ORDER – This matter is before the court on (1) Subscriber Plaintiffs' Motion for Preliminary Approval of Proposed Class Settlement (Doc. # <u>2610</u>); and (2) Subscriber Plaintiffs' Motion for Approval of Plan for Notice and Appointment of Claims Administrator (Doc. # <u>2611</u>). A Preliminary Approval Hearing on Subscriber Plaintiffs' Motions is SET for 9:00 a.m. Central Time on Monday, November 16, 2020. The hearing will take place remotely via Zoom webinar.Further information, including a Zoom link, will

		be forthcoming under separate order. Signed by Judge R David Proctor on 11/4/2020. (KEK) (Entered: 11/04/2020)
11/10/2020	<u>2620</u>	ORDER REGARDING ACCESS TO PRELIMINARY APPROVAL HEARING. Signed by Judge R David Proctor on 11/9/2020. (KAM) (Entered: 11/10/2020)
11/11/2020	<u>2621</u>	NOTICE by Plaintiffs' Counsel re <u>2610</u> MOTION for Settlement <i>Subscriber Plaintiffs Motion for Preliminary Approval of Proposed Class Settlement</i> (Attachments: # <u>1</u> Amended [Proposed] Final Approval Order of Settlement and Final Judgment and Order of Dismissal with Prejudice)(Hausfeld, Michael) (Entered: 11/11/2020)
11/12/2020	2622	TEXT ORDER – To clarify the courts Order Regarding Access to the November 16, 2020 Preliminary Approval Hearing <u>2620</u> , video access to the hearing will be available only to counsel who the court anticipates will be speaking or presenting at the hearing. All other access will be audio only via the courts public help desk. Signed by Judge R David Proctor on 11/12/2020. (KAM) (Entered: 11/12/2020)
11/12/2020	<u>2623</u>	RESPONSE to Motion re <u>2610</u> MOTION for Settlement <i>Subscriber Plaintiffs Motion for Preliminary Approval of Proposed Class Settlement</i> filed by Brett Watts, Judy Sheridan, Constance Dummer. (Cowan, R) (Entered: 11/12/2020)
11/13/2020	<u>2624</u>	NOTICE of Appearance by Samuel Issacharoff on behalf of Plaintiffs' Counsel (Issacharoff, Samuel) (Entered: 11/13/2020)
11/16/2020		Minute Entry for proceedings held before Judge R David Proctor: Preliminary Approval Settlement Conference held on 11/16/2020. (Court Reporter Risa Entrekin.) (KLL) (Entered: 11/17/2020)
11/17/2020	<u>2625</u>	NOTICE by Plaintiffs' Counsel of <i>Filing PowerPoint Slide Presentation from Preliminary Approval Hearing</i> (Attachments: # <u>1</u> Exhibit)(Guin, David) (Entered: 11/17/2020)
11/19/2020	<u>2626</u>	Transcript of Proceedings – HEARING ON PRELIMINARY APPROVAL OF SUBSCRIBER TRACK SETTLEMENT held on November 17, 2020, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/10/2020. Redacted Transcript Deadline set for 12/20/2020. Release of Transcript Restriction set for 2/17/2021. (KAM) (Entered: 11/19/2020)
11/23/2020	<u>2627</u>	RESPONSE to re <u>2623</u> , <u>2610</u> <i>POST–HEARING SUBMISSION MOTION FOR CLASS SETTLEMENT APPROVAL</i> filed by Constance Dummer, Judy Sheridan, Brett Watts. (Cowan, R) (Entered: 11/23/2020)

11/23/2020	<u>2628</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2610</u> MOTION for Settlement <i>Subscriber Plaintiffs Motion for Preliminary Approval of Proposed Class Settlement</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Excerpts of 11/16/20 Hearing Transcript)(Hausfeld, Michael) (Entered: 11/23/2020)
11/23/2020	<u>2631</u>		** SEALED MOTION** PROVIDER PLAINTIFFS' Motion to Exclude Defendants' Expert Lawrence Wu, PhD and Memorandum in Support. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(KAM) (Entered: 11/24/2020)
11/23/2020	<u>2632</u>		***Document Sealed*** PROVIDER PLAINTIFFS' RESPONSE in Opposition to Defendants' Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (KAM) (Entered: 11/24/2020)
11/23/2020	<u>2633</u>		***SEALED MOTION*** PROVIDER PLAINTIFFS' MOTION TO EXCLUDE Dr. Ariel Pakes. (KAM) (Entered: 11/24/2020)
11/23/2020	<u>2634</u>		***Document Sealed*** PROVIDER PLAINTIFFS' RESPONSE in Opposition to Defendants' Motion to Exclude Providers' expert H.E. Frech III (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 11/24/2020)
11/23/2020	<u>2635</u>		***SEALED MOTION*** PROVIDER PLAINTIFFS' MOTION to Exclude or Strike the expert testimony, opinions and analysis of Janusz Ordovery, PhD and brief in support. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(KAM) (Entered: 11/24/2020)
11/23/2020	<u>2636</u>		***Document Sealed*** PROVIDER PLAINTIFFS' RESPONSE in OPPOSITION to Defendants' Motion to exclude or stike expert testimony, opinions, and analysis of Dr. Deborah Haas–Wilson (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8) (KAM) (Entered: 11/24/2020)
11/23/2020	<u>2639</u>		*** SEALED MOTION *** PROVIDER PLAINTIFFS' MOTION to Exclude Defendants' Expert Kevin M. Murphy and Memorandum in support. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20)(KAM) (Entered: 11/24/2020)
11/24/2020	<u>2629</u>		Brief <i>Defendants' Submission Regarding Proposed Preliminary and Final Approval Orders.</i> (Zott, David) (Entered: 11/24/2020)
11/24/2020	<u>2630</u>		NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Proposed Language for Inclusion in the Subscriber Settlement Preliminary and Final Approval Orders</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Whatley, Joe) (Entered: 11/24/2020)
11/24/2020	<u>2637</u>		REPLY to re <u>2629</u> <i>Provider Plaintiffs' Reply to Defendants' Submission Regarding Proposed Preliminary and Final Approval Orders</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 11/24/2020)
11/24/2020	<u>2638</u>		

		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from October 1, 2020 through October 31, 2020 in this matter relating solely to services provided to the Plaintiffs, and totaling \$43,600.00. Signed by Judge R David Proctor on 11/24/2020. (KAM) (Entered: 11/24/2020)
11/24/2020	<u>2640</u>	Brief re <u>2630</u> Notice (Other) <i>Defendants' Response to Provider Plaintiffs' Proposed Language for Inclusion in the Subscriber Settlement Preliminary and Final Approval Orders.</i> (Zott, David) (Entered: 11/24/2020)
11/30/2020	<u>2641</u>	MEMORANDUM OPINION AND ORDER PRELIMINARILY APPROVING SETTLEMENT, PLAN OF DISTRIBUTION, AND NOTICE PLAN, AND DIRECTING NOTICE TO THE CLASS; The court finds that the Proposed Plan of Distribution is within the range of reasonableness, fairness, and adequacy so that it may be sent to the members of the Settlement Classes, and it is hereby PRELIMINARILY APPROVED ; Final Approval Hearing set for Wednesday, October 20, 2021 10:00 AM Central Time, continuing on Thursday, October 2021, if necessary before Judge R David Proctor.. Signed by Judge R David Proctor on 11/30/2020. (KAM) (Entered: 11/30/2020)
12/02/2020	<u>2642</u>	***Document Sealed*** PROVIDER PLAINTIFFS REPLY IN SUPPORT OF THEIR RENEWED MOTION FOR CLASS CERTIFICATION AND SUPPORTING MEMORANDUM (KAM) (Entered: 12/02/2020)
12/02/2020	<u>2643</u>	PROVIDER PLAINTIFFS' Executive Summary of Reply Report of H. E. Frech III, Ph.D. (KAM) Document unsealed by order <u>2669</u> Modified on 1/20/2021 (KAM). (Entered: 12/02/2020)
12/02/2020	<u>2644</u>	NOTICE by Defendants' Counsel <i>Executive Summary of Expert Report of Nancy L. Litwinski</i> (Zott, David) (Entered: 12/02/2020)
12/02/2020	<u>2645</u>	NOTICE by Defendants' Counsel <i>Executive Summary of Expert Report of Lisa B. Perlmutter</i> (Zott, David) (Entered: 12/02/2020)
12/02/2020	<u>2646</u>	NOTICE by Defendants' Counsel <i>Executive Summary of Expert Report of R. Lawrence Van Horn, Ph.D.</i> (Zott, David) (Entered: 12/02/2020)
12/02/2020	<u>2647</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2604</u> MOTION to Certify Class <i>Provider Plaintiffs' Renewed Motion for Class Certification and Supporting Memorandum (Public Version)</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 12/02/2020)
12/02/2020	<u>2648</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Reply Report of H.E. Frech, III, Ph.D. (Public Version)</i> (Whatley, Joe) (Entered: 12/02/2020)
12/02/2020	<u>2649</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Rebuttal Class Certification Expert Report of Daniel J. Slottje, Ph.D.</i> (Whatley, Joe) (Entered: 12/02/2020)
12/02/2020	<u>2650</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Executive Summary of Rebuttal Expert Report of Deborah Haas–Wilson, Ph.D.</i> (Whatley, Joe) (Entered: 12/02/2020)
12/02/2020	<u>2651</u>	

		NOTICE by Blue Cross and Blue Shield of Alabama <i>Executive Summary of Expert Report of David Dillon</i> (Burkhalter, Carl) (Entered: 12/02/2020)
12/02/2020	<u>2652</u>	NOTICE by Defendants' Counsel <i>Executive Summary of the Expert Report of Dr. David S. Evans</i> (DeMasi, Karin) (Entered: 12/02/2020)
12/02/2020	<u>2653</u>	NOTICE by Defendants' Counsel <i>Executive Summary of the Expert Report of Dr. Robert H. Topel</i> (DeMasi, Karin) (Entered: 12/02/2020)
12/08/2020	<u>2654</u>	Transcript (Corrected) of Proceedings held on November 16, 2020, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 12/29/2020. Redacted Transcript Deadline set for 1/8/2021. Release of Transcript Restriction set for 3/8/2021. (KAM) (Entered: 12/08/2020)
12/16/2020	<u>2655</u>	MOTION To Exclude Defendants' Expert Kevin M. Murphy <i>and Memorandum In Support Thereof (Public Version)</i> by Plaintiffs' Counsel. (Whatley, Joe) Modified on 1/27/2021 (KAM,). (Entered: 12/16/2020)
12/16/2020	<u>2656</u>	MOTION and Supporting Memorandum of Law In Support of Motion to Exclude or Strike the Expert Testimony, Opinions, and Analysis of Janusz Ordoover, Ph.D. <i>(Public Version)</i> by Plaintiffs' Counsel. (Whatley, Joe) Modified on 1/27/2021 (KAM,). (Entered: 12/16/2020)
12/17/2020	<u>2657</u>	ORDER UNSEALING CERTAIN DOCUMENTS – This matter is before the court on the Seal Team's December 16, 2020 Report regarding additional sealed documents that the parties agree can be unsealed. Signed by Judge R David Proctor on 12/17/2020. (KEK) (Entered: 12/17/2020)
12/22/2020	<u>2658</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 12/22/2020. (KEK) (Entered: 12/22/2020)
12/22/2020	<u>2659</u>	ORDER – This case is SET for a video status conference at 10:30 a.m. on Wednesday, January 27, 2021. The Special Master will provide access information for the video status conference, and information regarding video caucuses to take place following the status conference. On or before Friday, January 22, 2021, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 12/22/2020. (KEK) (Entered: 12/22/2020)
12/30/2020	<u>2660</u>	Transcript of Proceedings (Telephonic Status Conference) held on 12/29/2020, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for

		<p>Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 1/20/2021. Redacted Transcript Deadline set for 1/30/2021. Release of Transcript Restriction set for 3/30/2021. (KAM) (Entered: 12/30/2020)</p>
01/05/2021	<u>2661</u>	<p>AMENDED ORDER – The January 27, 2021 status conference will be conducted by telephone. The Special Master will provide access information for the status conference. On or before Friday, January 22, 2021, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference.. Signed by Judge R David Proctor on 1/5/2021. (KAM) (Entered: 01/05/2021)</p>
01/08/2021	<u>2662</u>	<p>NOTICE of Appearance by Eric B Snyder on behalf of All Plaintiffs (Snyder, Eric) (Entered: 01/08/2021)</p>
01/19/2021	<u>2663</u>	<p>RESPONSE to re <u>2639</u> <i>Defendants' Response to Providers' Motion to Exclude the Expert Testimony of Professor Kevin Murphy (Public Version)</i> filed by Defendants' Counsel. (Zott, David) (Entered: 01/19/2021)</p>
01/19/2021	<u>2664</u>	<p>***Document Sealed*** Defendants' RESPONSE to Provider's MOTION to exclude the expert testimony of Professor Kevin Murphy (KAM) (Entered: 01/19/2021)</p>
01/19/2021	<u>2665</u>	<p>RESPONSE to Motion re <u>2633</u> SEALED MOTION <i>Defendants' Response to Providers' Motion to Exclude Subscriber Expert Dr. Pakes in the Provider Track</i> filed by Defendants' Counsel. (Attachments: # <u>1</u> Exhibit 1 – Haas–Wilson Dep. Excerpts)(Hoover, Craig) (Entered: 01/19/2021)</p>
01/19/2021	<u>2666</u>	<p>RESPONSE in Opposition re <u>2635</u> SEALED MOTION <i>Defendants Opposition To Provider Plaintiffs Motion To Exclude Or Strike The Expert Testimony, Opinions, And Analysis Of Janusz Ordoover, Ph.D.</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 01/19/2021)</p>
01/19/2021	<u>2667</u>	<p>RESPONSE to Motion re <u>2633</u> SEALED MOTION <i>Subscriber Plaintiffs' Response to Providers' Motion Regarding Dr. Ariel Pakes</i> filed by Plaintiffs' Counsel. (Hausfeld, Michael) (Entered: 01/19/2021)</p>
01/19/2021	<u>2668</u>	<p>RESPONSE in Opposition re <u>2631</u> SEALED MOTION <i>Defendants Opposition To Providers Motion To Exclude Defendants Expert Lawrence Wu, Ph.D.</i> filed by Defendants' Counsel. (Hoover, Craig) (Entered: 01/19/2021)</p>
01/20/2021	<u>2669</u>	<p>ORDER UNSEALING CERTAIN DOCUMENTS. Signed by Judge R David Proctor on 1/19/2021. (KAM) (Entered: 01/20/2021)</p>
01/22/2021	<u>2670</u>	<p>STATUS REPORT <i>Report Regarding Proposed Agenda for Telephonic Status Conference on January 27, 2021 at 10:30 a.m. (Central)</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 01/22/2021)</p>

01/22/2021	<u>2671</u>		MOTION to Appoint Counsel <i>Unopposed Motion of Subscribers' Co-Lead Counsel to Obtain Court Approval for the Appointment of Charles J. Cooper to the Plaintiffs' Steering Committee for the Subscriber Track</i> by Special Master. (Gentle, Edgar) (Entered: 01/22/2021)
01/25/2021	<u>2672</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 1/25/2021. (KAM) (Entered: 01/25/2021)
01/25/2021	<u>2673</u>		ORDER this matter is before the court on <u>2671</u> MOTION to Appoint Counsel <i>Unopposed Motion of Subscribers' Co-Lead Counsel to Obtain Court Approval for the Appointment of Charles J. Cooper to the Plaintiffs' Steering Committee for the Subscriber Track</i> filed by Special Master; the Motion is GRANTED ; The Court therefore APPROVES and APPOINTS Charles J. Cooper to serve on the Plaintiffs Steering Committee for the Subscriber Track. Signed by Judge R David Proctor on 1/225/2021. (KAM) (Entered: 01/25/2021)
01/27/2021	<u>2674</u>		NOTICE of Appearance by Kimberly Francis on behalf of Plaintiffs' Counsel (Francis, Kimberly) (Entered: 01/27/2021)
01/27/2021			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 1/27/2021. The court will enter a separate order setting the next status conference. (Court Reporter Risa Entrekin.) (KLL) (Entered: 01/27/2021)
01/28/2021	<u>2675</u>		NOTICE by Defendants' Counsel re <u>2666</u> Response in Opposition to Motion, (Kimble, Cavender) (Entered: 01/28/2021)
01/28/2021	<u>2676</u>		***Document Sealed – EVIDENTIARY SUBMISSION IN SUPPORT of Defendant's Opposition to Provider Plaintiff's Motion to Exclude of Strike the Expert Testimony, Opinions, and Analysis of Janusz Ordovery, PH.D. (KEK) (Entered: 01/28/2021)
01/28/2021	<u>2677</u>		Evidentiary Material re: <u>2668</u> Response in Opposition to Motion <i>Evidentiary Submission In Support Of Defendants Opposition To Providers Motion To Exclude Defendants Expert Lawrence Wu, Ph.D.</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Hoover, Craig) (Entered: 01/28/2021)
01/28/2021	<u>2678</u>		Evidentiary Material re: <u>2666</u> Response in Opposition to Motion, <i>Evidentiary Submission In Support Of Defendants Opposition To Provider Plaintiffs Motion To Exclude Or Strike The Expert Testimony, Opinions, And Analysis Of Janusz Ordovery, Ph.D.</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Hoover, Craig) (Entered: 01/28/2021)
01/29/2021	<u>2679</u>		Evidentiary Material re: <u>2664</u> Document Sealed, <u>2663</u> Response (other) <i>Evidentiary Submission in Support of Defendants' Response to Providers' Motion to Exclude the Expert Testimony of Professor Kevin Murphy.</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Zott, David) (Entered: 01/29/2021)
01/29/2021	<u>2680</u>		***Document Sealed*** Evidentiary submission in support of Defendants' Response to Providers' Motion to Exclude the Expert Testimony of Professor

		Kevin Murphy (Attachments: # <u>1</u> Exhibit D, # <u>2</u> Exhibit E, # <u>3</u> Exhibit F) (KAM) (Entered: 01/29/2021)
02/01/2021	<u>2681</u>	NOTICE by Plaintiffs' Counsel of Filing Provider Plaintiffs' Executive Summary of Merits and Damages Rebuttal Report of H.E. Frech, III, Ph.D. (Whatley, Joe) (Entered: 02/01/2021)
02/01/2021	<u>2682</u>	NOTICE by Plaintiffs' Counsel of Filing Provider Plaintiffs' Executive Summary of the Expert Rebuttal Report of Deborah Haas–Wilson, Ph.D. (Whatley, Joe) (Entered: 02/01/2021)
02/01/2021	<u>2683</u>	NOTICE by Plaintiffs' Counsel of Filing Provider Plaintiffs' Executive Summary of Merits and Damages Rebuttal Report of Daniel J. Slottje, Ph.D. (Whatley, Joe) (Entered: 02/01/2021)
02/01/2021	<u>2684</u>	NOTICE by Plaintiffs' Counsel of Filing Provider Plaintiffs' Executive Summary of Expert Report of Thomas D. Gober, CFE (Whatley, Joe) (Entered: 02/01/2021)
02/01/2021	<u>2685</u>	NOTICE by Plaintiffs' Counsel of Filing Provider Plaintiffs' Executive Summary of Expert Report of Catherine Tucker, Ph.D. (Whatley, Joe) (Entered: 02/01/2021)
02/01/2021	<u>2686</u>	NOTICE by Plaintiffs' Counsel of Filing Provider Plaintiffs' Executive Summary of Merits and Damages Rebuttal Report of Roy Goldman Ph.D. FSA MAAA CERA (Whatley, Joe) (Entered: 02/01/2021)
02/02/2021	<u>2687</u>	NOTICE of Appearance by Cason M Kirby on behalf of Blue Cross Blue Shield Michigan (Kirby, Cason) (Entered: 02/02/2021)
02/02/2021	<u>2688</u>	NOTICE of Appearance by Cason M Kirby on behalf of Blue Cross Blue Shield Michigan (Kirby, Cason) (Entered: 02/02/2021)
02/02/2021	<u>2689</u>	Transcript of Proceedings (Telephone Conference) held on 1/27/2021, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 2/23/2021. Redacted Transcript Deadline set for 3/5/2021. Release of Transcript Restriction set for 5/3/2021. (KAM) (Entered: 02/02/2021)
02/02/2021	<u>2690</u>	REPLY to re <u>2478</u> Defendants' Reply in Support of Corrected Motion to Exclude Providers' Expert H.E. Frech, III filed by Defendants' Counsel. (Donnell, Sarah) (Entered: 02/02/2021)
02/02/2021	<u>2691</u>	REPLY Brief filed by Defendant Defendants' Counsel re: <u>2463</u> Notice (Other) Reply In Support Of Defendants Motion To Exclude Or Strike The Expert Testimony, Opinions, And Analysis Of Dr. Deborah Haas–Wilson filed by Defendants' Counsel. (Hoover, Craig) (Entered: 02/02/2021)

02/02/2021	<u>2692</u>		RESPONSE in Support re <u>2477</u> SEALED MOTION of <i>Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje</i> filed by Blue Cross Blue Shield Michigan. (Kirby, Cason) (Entered: 02/02/2021)
02/02/2021	<u>2693</u>		***Document Sealed*** Defendants' Reply in support of their Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje (KAM) (Entered: 02/03/2021)
02/03/2021	<u>2694</u>		RESPONSE in Support re <u>2477</u> SEALED MOTION <i>Defendants' *Corrected* Reply in Support of their Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje</i> filed by Blue Cross Blue Shield Michigan. (Kirby, Cason) (Entered: 02/03/2021)
02/03/2021	<u>2695</u>		***Document Sealed** Defendants' CORRECTED Reply in Support of their Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje (KAM) (Entered: 02/04/2021)
02/04/2021	<u>2696</u>		Evidentiary Material re: <u>2690</u> REPLY (other) <i>Evidentiary Submission in Support of Defendants' Reply in Support of Corrected Motion to Exclude Providers' Expert H.E. Frech, III.</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Donnell, Sarah) (Entered: 02/04/2021)
02/04/2021	<u>2697</u>		Evidentiary Material re: <u>2691</u> Reply Brief, <i>Evidentiary Submission In Support Of Reply In Support Of Defendants Motion To Exclude Or Strike The Expert Testimony, Opinions, And Analysis Of Dr. Deborah Haas–Wilson.</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Hoover, Craig) (Entered: 02/04/2021)
02/09/2021	<u>2698</u>		Evidentiary Material re: <u>2694</u> Response in Support of Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje. (Attachments: # <u>1</u> Exhibit Exhibit 1 – Slottje Excerpts, # <u>2</u> Exhibit Exhibit 2 – Slottje Excerpts, # <u>3</u> Exhibit Exhibit 3 – Kellogg Excerpts, # <u>4</u> Exhibit Exhibit 4 – Haas–Wilson Excerpts, # <u>5</u> Exhibit Exhibit 5 – Haas–Wilson Excerpts, # <u>6</u> Exhibit Exhibit 6 – Filed Under Seal, # <u>7</u> Exhibit Exhibit 7 – Filed Under Seal, # <u>8</u> Exhibit Exhibit 8 – Findlay Excerpts, # <u>9</u> Exhibit Exhibit 9 – Filed Under Seal, # <u>10</u> Exhibit Exhibit 10 – BCBSA00115424 Excerpt)(Kirby, Cason) (Entered: 02/09/2021)
02/09/2021	<u>2699</u>		***Document Sealed*** Evidentiary Submission in Support of Defendants' Correctede Reply in Support of Their Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel J. Slottje (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10) (KAM) (Entered: 02/10/2021)
02/12/2021	<u>2700</u>		Evidentiary Material re: <u>2634</u> Document Sealed <i>Evidentiary Submission in Support of Provider Plaintiffs' Response in Opposition to Defendants' Motion to Exclude Provider Plaintiffs' Expert H. E. Frech, III Ph.D..</i> (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 02/12/2021)
02/12/2021	<u>2701</u>		Evidentiary Material re: <u>2636</u> Document Sealed, <i>Evidentiary Submission in Support of Provider Plaintiffs' Response in Opposition to Defendants' Motion to Exclude Provider Plaintiffs' Expert Deborah Haas–Wilson, Ph.D..</i> (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 02/12/2021)
02/12/2021	<u>2702</u>		

		Evidentiary Material re: <u>2655</u> MOTION To Exclude Defendants' Expert Kevin M. Murphy and Memorandum In Support Thereof (Public Version), <u>2639</u> SEALED MOTION Evidentiary Submission in Support of Provider Plaintiffs' Motion to Exclude Defendants' Expert Kevin M. Murphy. (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 02/12/2021)
02/12/2021	<u>2703</u>	Evidentiary Material re: <u>2632</u> Document Sealed Evidentiary Submission in Support of Provider Plaintiffs' Response in Opposition to Defendants' Motion to Exclude Provider Plaintiffs' Expert Dr. Daniel Slottje. (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 02/12/2021)
02/16/2021	<u>2704</u>	NOTICE by Defendants' Counsel <i>Proof of Service of Notice of Settlement Under Class Action Fairness Act</i> (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Daniel Laytin, # <u>2</u> Exhibit 2 – CAFA Notice Letter)(Laytin, Daniel) (Entered: 02/16/2021)
02/22/2021	<u>2705</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from November 1, 2020 through January 31, 2021 in this matter as it relates to services rendered for both sides of the case, and totaling \$6,500.00. Signed by Judge R David Proctor on 2/22/2021. (KAM) (Entered: 02/22/2021)
02/22/2021	<u>2706</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from January 1, 2021 through January 31, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$56,500.00. Signed by Judge R David Proctor on 2/22/2021. (KAM) (Entered: 02/22/2021)
02/22/2021	<u>2707</u>	REPLY to re <u>2633</u> Provider Plaintiffs' Reply In Support of Their Motion to Exclude Dr. Pakes in the Provider Track Because, As Defendants Themselves Have Admitted, Dr. Pakes's Testimony is Inadmissible and Notice of Joinder, Adoption and Incorporation of Defendants' Motion to Exclude or Strike the Expert Testimony, Opinions and Analysis of Dr. Ariel Pakes filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/22/2021)
02/22/2021	<u>2708</u>	REPLY to re <u>2631</u> Provider Plaintiffs' Reply In Support of Their Motion to Exclude Defendants' Expert Lawrence Wu, Ph.D. filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/22/2021)
02/22/2021	<u>2709</u>	REPLY to re <u>2635</u> Provider Plaintiffs' Reply Memorandum of Law in Support of Motion to Exclude or Strike the Expert Testimony, Opinions, and Analysis of Janusz Ordoover, Ph.D. (Public Version) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/22/2021)
02/22/2021	<u>2710</u>	REPLY to re <u>2639</u> Provider Plaintiffs' Reply In Support of Their Motion to Exclude Defendants' Expert Kevin M. Murphy and Memorandum In Support Thereof (Public Version) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 02/22/2021)
02/23/2021	<u>2711</u>	Evidentiary Material re: <u>2708</u> REPLY (other) In Support of Provider Plaintiffs' Reply In Support of Their Motion to Exclude Defendants' Expert Lawrence Wu, Ph.D.. (Attachments: # <u>1</u> Exhibit 10, # <u>2</u> Exhibit 11, # <u>3</u> Exhibit 12)(Whatley, Joe) (Entered: 02/23/2021)
02/23/2021	<u>2712</u>	

		<p>***Document Sealed** PROVIDER PLAINTIFFS REPLY IN SUPPORT OF THEIR MOTION TO EXCLUDE DEFENDANTS EXPERT KEVIN M. MURPHY AND MEMORANDUM IN SUPPORT (Attachments: # <u>1</u> Exhibit 21, # <u>2</u> Exhibit 22, # <u>3</u> Exhibit 23, # <u>4</u> Exhibit 24, # <u>5</u> Exhibit 25, # <u>6</u> Exhibit 26, # <u>7</u> Exhibit 27, # <u>8</u> Exhibit 28, # <u>9</u> Exhibit 29, # <u>10</u> Exhibit 30, # <u>11</u> Exhibit 31, # <u>12</u> Exhibit 32, # <u>13</u> Exhibit 33, # <u>14</u> Exhibit 34, # <u>15</u> Exhibit 35, # <u>16</u> Exhibit 36, # <u>17</u> Exhibit 37, # <u>18</u> Exhibit 38) (KAM) (Entered: 02/23/2021)</p>
02/23/2021	<u>2713</u>	<p>***Document Sealed*** PROVIDER PLAINTIFFS REPLY MEMORANDUM OF LAW IN SUPPORT OF MOTION TO EXCLUDE OR STRIKE THE EXPERT TESTIMONY, OPINIONS, AND ANALYSIS OF JANUSZ ORDOVER, PH.D. (Attachments: # <u>1</u> Exhibit 4, # <u>2</u> Exhibit 5) (KAM) (Entered: 02/23/2021)</p>
03/05/2021	<u>2714</u>	<p>ORDER – In recent consultation with Providers and the Blues, it appears that both sides seek to further re–visit the appropriate standard of review applicable to Providers' claims. Therefore, it is ORDERED as follows: 1. On or before March 15, 2021, counsel for Providers and the Blues SHALL (a) meet and confer regarding an efficient manner to revisit the standard of review issue as to Providers' claims, and (b) file a joint report containing a proposed aggressive briefing schedule. 2. Because the court believes that any further ruling on the standard of review applicable to Providers' claims will impact a decision on the appropriateness of class certification on those claims, on the court's own motion, the Clerk of the Court is DIRECTED to TERMINATE the pending Motion for Class Certification and Motions to Exclude Defendants' class certification experts. (Docs. # <u>2604</u> , <u>2631</u> , <u>2633</u> , <u>2635</u> , and <u>2639</u>). After disposition of the standard of review issue, the court will confer with counsel for Providers and the Blues to determine whether the Motions may be reinstated, or whether revised briefing will be required. Signed by Judge R David Proctor on 3/5/2021. (KEK) (Entered: 03/05/2021)</p>
03/12/2021	<u>2715</u>	<p>MOTION to Amend/Correct <u>2641</u> Order,,, Set Hearings,, <i>Unopposed Motion to Amend Plan of Distribution for Clarity and to Amend Preliminary Approval Order Regarding Filing of Objections</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A – [Proposed] Plan of Distribution, # <u>2</u> Text of Proposed Order)(Hausfeld, Michael) (Entered: 03/12/2021)</p>
03/15/2021	<u>2716</u>	<p>ORDER AMENDING PLAN OF DISTRIBUTION AND PRELIMINARY APPROVAL ORDER REGARDING FILING OF OBJECTIONS – This matter is before the court on Settlement Class Counsel's Unopposed Motion to Amend Plan of Distribution for Clarity and to Amend Preliminary Approval Order Regarding Filing of Objections. (Doc. # <u>2715</u>). The Motion (Doc. # <u>2715</u>) is GRANTED. Signed by Judge R David Proctor on 3/15/2021. (KEK) (Entered: 03/15/2021)</p>
03/15/2021	<u>2717</u>	<p>STATUS REPORT <i>Joint Report Regarding Proposed Schedule by Defendants and Provider Plaintiffs</i> (Attachments: # <u>1</u> Exhibit 1)(DeMasi, Karin) Modified on 3/16/2021 (KAM,). (Entered: 03/15/2021)</p>
03/16/2021	<u>2718</u>	<p>EIGHTH AMENDED SCHEDULING ORDER (EXCLUSIVE TO PROVIDER TRACK) All motions related to the antitrust standard of review applicable to Providers claims in this case (the Standard of Review) are due on or before May 21, 2021; Any opposition to motions related to the</p>

		Standard of Review is due on or before June 21, 2021 ; Any reply in support of motions related to the Standard of Review is due on or before July 12, 2021 ; All potentially dispositive motions on issues of liability which are not critically dependent on the outcome of class certification, materials in support, and supporting expert reports under Fed. R. Civ. P. 26(a)(2) are due on or before June 18, 2021 ; The parties will meet and confer as to an appropriate briefing schedule after the filing of such a Motion or Motions, and present a schedule or competing proposals to the court by no later than June 25, 2021 . Signed by Judge R David Proctor on 3/16/2021. (KAM) (Entered: 03/16/2021)
03/22/2021	<u>2719</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from February 1, 2021 through February 28, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$67,500.00. Signed by Judge R David Proctor on 3/22/2021. (KAM) (Entered: 03/22/2021)
04/23/2021	<u>2720</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 4/23/2021. (KEK) (Entered: 04/23/2021)
05/06/2021	<u>2721</u>	ORDER – This case is SET for a status conference at 9:30 a.m. on Tuesday, June 29, 2021, in Courtroom 8 of the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama. The Special Master will provide Zoom access information for those unable to attend in person. On or before Friday, June 25, 2021, the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 5/6/2021. (KEK) (Entered: 05/06/2021)
05/10/2021	<u>2722</u>	Evidentiary Material re: <u>2642</u> Document Sealed in Support of Provider Plaintiffs' Reply In Support of Their Renewed Motion for Class Certification. (Attachments: # <u>1</u> Exhibit 56, # <u>2</u> Exhibit 57, # <u>3</u> Exhibit 58, # <u>4</u> Exhibit 59, # <u>5</u> Exhibit 60, # <u>6</u> Exhibit 61, # <u>7</u> Exhibit 62, # <u>8</u> Exhibit 63, # <u>9</u> Exhibit 64, # <u>10</u> Exhibit 65, # <u>11</u> Exhibit 66, # <u>12</u> Exhibit 67)(Whatley, Joe) (Entered: 05/10/2021)
05/10/2021	<u>2723</u>	REPLY to re <u>2635</u> Provider Plaintiffs' Reply Memorandum of Law in Support of Motion to Exclude or Strike the Expert Testimony, Opinions, and Analysis of Janusz Ordoover, Ph.D. (Corrected Public Version) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 05/10/2021)
05/10/2021	<u>2724</u>	***Document Sealed*** PROVIDER PLAINTIFF'S Evidentiary Submission in support of Reply in support of their Renewed Motion for Class Certification (Attachments: # <u>1</u> Exhibit 56, # <u>2</u> Exhibit 57, # <u>3</u> Exhibit 61, # <u>4</u> Exhibit 66, # <u>5</u> Exhibit 67) (KAM) (Entered: 05/10/2021)
05/11/2021	<u>2725</u>	ORDER UNSEALING CERTAIN DOCUMENTS as set out in this order. Signed by Judge R David Proctor on 5/11/2021. (KAM) (Entered: 05/11/2021)
05/18/2021	<u>2726</u>	ORDER APPROVING PLAINTIFFS= LIAISON COUNSEL=S FEE APPLICATION. Signed by Judge R David Proctor on 5/18/2021. (KAM) (Entered: 05/18/2021)

05/21/2021	<u>2727</u>		MOTION for Summary Judgment (<i>"Defendants' Motion Regarding The Antitrust Standard Of Review Applicable To Provider Plaintiffs' Section 1 Claims Pursuant To Federal Rule Of Civil Procedure 56"</i>) by Defendants' Counsel. (Chesler, Evan) (Entered: 05/21/2021)
05/21/2021	<u>2728</u>		Brief re <u>2727</u> MOTION for Summary Judgment (<i>"Defendants' Motion Regarding The Antitrust Standard Of Review Applicable To Provider Plaintiffs' Section 1 Claims Pursuant To Federal Rule Of Civil Procedure 56"</i>) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 05/21/2021)
05/21/2021	<u>2729</u>		SEALED MOTION – PROVIDER PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING THE STANDARD OF REVIEW FOR THEIR GROUP BOYCOTT CLAIMS. (KEK) (Entered: 05/24/2021)
05/21/2021	<u>2730</u>		SEALED MOTION – PROVIDER PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING THE STANDARD OF REVIEW IN LIGHT OF AMEX. (KEK) (Entered: 05/24/2021)
05/24/2021	<u>2731</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 5/24/2021. (KEK) (Entered: 05/24/2021)
05/24/2021	<u>2732</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 5/24/2021. (KEK) (Entered: 05/24/2021)
05/28/2021	<u>2733</u>		MOTION for Attorney Fees <i>Subscriber Counsel's Motion for Approval of their Attorneys' Fees and Expenses Application</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Approval of Attorneys' Fees and Expenses Application, # <u>2</u> Exhibit A – Declaration of Co-Lead Counsel, # <u>3</u> Exhibit B – Declaration of Professor Charles Silver, # <u>4</u> Exhibit C – Declaration of Professor Brian Fitzpatrick, # <u>5</u> Exhibit D – Declaration of Special Master Edgar C. Gentle)(Hausfeld, Michael) (Entered: 05/28/2021)
06/01/2021	<u>2734</u>		***Document Sealed*** Defendants' EVIDENTIARY SUBMISSION in support of Defendants' Motion regarding The Antitrust Standard of Review Applicable to Provider Plaintiffs' Section 1 Claims pursuant to FRCP 56 (Attachments: # <u>1</u> Exhibit 294, # <u>2</u> Exhibit 295, # <u>3</u> Exhibit 296, # <u>4</u> Exhibit 297, # <u>5</u> Exhibit 299, # <u>6</u> Exhibit 300) (KAM) (Entered: 06/01/2021)
06/01/2021	<u>2735</u>		Evidentiary Material re: <u>2727</u> MOTION for Summary Judgment (<i>"Defendants' Motion Regarding The Antitrust Standard Of Review Applicable To Provider Plaintiffs' Section 1 Claims Pursuant To Federal Rule Of Civil Procedure 56"</i>) . (Attachments: # <u>1</u> Exhibit 283, # <u>2</u> Exhibit 284, # <u>3</u> Exhibit 285, # <u>4</u> Exhibit 286, # <u>5</u> Exhibit 287, # <u>6</u> Exhibit 288, # <u>7</u> Exhibit 289, # <u>8</u> Exhibit 290, # <u>9</u> Exhibit 291, # <u>10</u> Exhibit 292, # <u>11</u> Exhibit 293, # <u>12</u> Exhibit 298, # <u>13</u> Exhibit 301, # <u>14</u> Exhibit 302, # <u>15</u> Exhibit 303, # <u>16</u> Exhibit 304, # <u>17</u> Exhibit 305, # <u>18</u> Exhibit 306, # <u>19</u> Exhibit 307, # <u>20</u> Exhibit 308, # <u>21</u> Exhibit 309, # <u>22</u> Exhibit 310, # <u>23</u> Exhibit 311, # <u>24</u> Exhibit 312, # <u>25</u> Exhibit 313, # <u>26</u> Exhibit 314, # <u>27</u> Exhibit 315, # <u>28</u> Exhibit 316, # <u>29</u> Exhibit 317, # <u>30</u> Exhibit 318, # <u>31</u> Exhibit 319, # <u>32</u> Exhibit 320, # <u>33</u> Exhibit 321)(Chesler, Evan) (Entered: 06/01/2021)
06/01/2021	<u>2736</u>		

		NOTICE by Defendants' Counsel re <u>2735</u> Evidentiary Material,,, (Chesler, Evan) (Entered: 06/01/2021)
06/02/2021	<u>2737</u>	ORDER This matter is before the court on a Motion by a Class Member for the Court to Modify the Settlement or Dismiss this Case; The court has instructed the Clerk of the Court to file the document, and return a copy, but the court will construe the document as an Objection to the Settlement, rather than a Motion. Signed by Judge R David Proctor on 6/2/2021. (KAM) (Entered: 06/02/2021)
06/02/2021	<u>2738</u>	OBJECTION by a Class Member for the Court to Modify the Settlement or Dismiss this Case. (KAM) (Entered: 06/02/2021)
06/09/2021	<u>2739</u>	NOTICE by Plaintiffs' Counsel re <u>2733</u> MOTION for Attorney Fees <i>Subscriber Counsel's Motion for Approval of their Attorneys' Fees and Expenses Application Subscriber Counsel's Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A – In re Equifax Inc. Customer Data Security Breach Litigation)(Hausfeld, Michael) (Entered: 06/09/2021)
06/14/2021	<u>2740</u>	Evidentiary Material re: <u>2729</u> SEALED MOTION <i>Provider Plaintiffs' Motion for Partial Summary Judgment Regarding the standard of Review of Their Group Boycott Claims</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Whatley, Joe) (Entered: 06/14/2021)
06/14/2021	<u>2741</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Motion for Partial Summary Judgment Regarding the Standard of Review of Their Group Boycott Claims (Public Version)</i> (Whatley, Joe) (Entered: 06/14/2021)
06/14/2021	<u>2742</u>	Evidentiary Material re: <u>2730</u> SEALED MOTION <i>Provider Plaintiffs' Motion for Partial Summary Judgment Regarding the Standard of Review in Light of Amex</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28)(Whatley, Joe) (Entered: 06/14/2021)
06/14/2021	<u>2743</u>	NOTICE by Plaintiffs' Counsel re <u>2730</u> SEALED MOTION <i>Provider Plaintiffs' Motion for Partial Summary Judgment Regarding the Standard of Review in Light of Amex (Public Version)</i> (Whatley, Joe) (Entered: 06/14/2021)
06/14/2021	<u>2744</u>	***Document Sealed***PROVIDER PLAINTIFFS' Notice of filing Evidentiary Submission in support of Motion for Partial Summary Judgment regarding the Standard of Review of their Group Boycott Claims (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Exhibit 4, # <u>3</u> Exhibit 6) (KAM) (Entered: 06/14/2021)
06/14/2021	<u>2745</u>	***Document Sealed*** PROVIDER PLAINTIFFS' Notice of filing sealed Evidentiary Submissions in support of Motion for Partial Summary Judgement regarding the Standard of Review in Light of AMEX (Attachments: # <u>1</u> Exhibit 13, # <u>2</u> Exhibit 19, # <u>3</u> Exhibit 21) (KAM) (Entered: 06/14/2021)

06/17/2021	<u>2746</u>		TEXT ORDER – In anticipation of the new federal Juneteenth holiday, all deadlines set on June 18, 2021, are EXTENDED to Monday, June 21, 2021 . Although the new holiday gives all great cause for celebration, the court apologizes to any young attorneys who are now expected to work this weekend. Signed by Judge R David Proctor on 6/17/2021. (KAM) (Entered: 06/17/2021)
06/21/2021	<u>2747</u>		***Document Sealed*** PROVIDER PLAINTIFFS RESPONSE IN OPPOSITION TO DEFENDANTS MOTION REGARDING THE STANDARD OF REVIEW APPLICABLE TO PROVIDER PLAINTIFFS SECTION 1 CLAIMS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 56 (KAM) (Entered: 06/21/2021)
06/21/2021	<u>2748</u>		SEALED MOTION PROVIDER PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT ON THE DEFENDANTS SINGLE ENTITY DEFENSE. (KAM) (Entered: 06/21/2021)
06/21/2021	<u>2749</u>		***Document Sealed** PROVIDER PLAINTIFFS MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS CLAIM TO COMMON-LAW TRADEMARK RIGHTS (KAM) (Entered: 06/21/2021)
06/21/2021	<u>2750</u>		MOTION for Summary Judgment (<i>"Defendants' Motion for Summary Judgment on (I) All Claims Advanced by Non-General Acute Care Hospital Providers and (II) Any Claims Based on Blue System Rules Other than ESAs or BlueCard for Failure to Demonstrate Injury or Damages"</i>) by Defendants' Counsel. (Chesler, Evan) (Entered: 06/21/2021)
06/21/2021	<u>2751</u>		Brief re <u>2750</u> MOTION for Summary Judgment (<i>"Defendants' Motion for Summary Judgment on (I) All Claims Advanced by Non-General Acute Care Hospital Providers and (II) Any Claims Based on Blue System Rules Other than ESAs or BlueCard for Failure to Demons (Defendants' Opening Brief In Support of Motion) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 06/21/2021)</i>
06/21/2021	<u>2752</u>		RESPONSE in Opposition re <u>2730</u> SEALED MOTION (<i>"Defendants' Response to Provider Plaintiffs' Motion for Partial Summary Judgment Regarding the Standard of Review In Light of Amex"</i>) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 06/21/2021)
06/21/2021	<u>2753</u>		MOTION for Partial Summary Judgment by <i>Certain Defendants</i> by Defendants' Counsel. (Sooy, Kathleen) (Entered: 06/21/2021)
06/21/2021	<u>2754</u>		Brief re <u>2753</u> MOTION for Partial Summary Judgment by <i>Certain Defendants</i> filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 06/21/2021)
06/21/2021	<u>2755</u>		NOTICE by Defendants' Counsel re <u>2729</u> SEALED MOTION (<i>"Notice of Filing Under Seal"</i>) (Chesler, Evan) (Entered: 06/21/2021)
06/21/2021	<u>2756</u>		Brief re <u>2729</u> SEALED MOTION (<i>"Defendants' Brief in Opposition to Provider Plaintiffs' Motion for Partial Summary Judgment Regarding the Standard of Review Applicable to Providers' Group Boycott Claims"</i> —Redacted) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 06/21/2021)

06/21/2021	<u>2757</u>		NOTICE by Defendants' Counsel (" <i>Defendants' Notice of Other Potential Motions Critically Dependent on the Outcome of Class Certification or Other Pending Motions</i> ") (Chesler, Evan) (Entered: 06/21/2021)
06/21/2021	<u>2758</u>		MOTION for Summary Judgment <i>On Providers' Damages Claims As Time-Barred And Speculative</i> by Defendants' Counsel. (Stenerson, Todd) (Entered: 06/21/2021)
06/21/2021	<u>2759</u>		NOTICE by Defendants' Counsel <i>re Sealed Motion</i> (Stenerson, Todd) (Entered: 06/21/2021)
06/21/2021	<u>2760</u>		***Document Sealed*** DEFENDANTS' BRIEF IN OPPOSITION TO PROVIDER PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING THE STANDARD OF REVIEW APPLICABLE TO PROVIDERS GROUP BOYCOTT CLAIMS (KAM) (Entered: 06/22/2021)
06/21/2021	<u>2761</u>		***Document Sealed*** DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PROVIDERS' DAMAGES CLAIMS AS TIME-BARRED AND SPECULATIVE (KAM) (Entered: 06/22/2021)
06/21/2021	<u>2762</u>		***Document Sealed*** DEFENDANTS' MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT ON PROVIDERS' DAMAGES CLAIMS AS TIME-BARRED AND SPECULATIVE (KAM) (Entered: 06/22/2021)
06/22/2021	<u>2763</u>		MOTION to Withdraw as Attorney by California Physicians Service d/b/a Blue Shield of California. (Witt, Helen) (Entered: 06/22/2021)
06/22/2021	<u>2764</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from May 1, 2021 through May 31, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$55,500.00. Signed by Judge R David Proctor on 6/22/2021. (KAM) (Entered: 06/22/2021)
06/22/2021	2765		TEXT ORDER This matter is before the court on the Motion to Withdraw filed by certain attorneys in the Kirkland & Ellis LLP firm seeking to withdraw from representing Defendant California Physicians Service d/b/a Blue Shield of California (BSCA). The Motion is GRANTED . The Clerk of the Court is directed to terminate the attorneys referenced in the Motion from their representation of BSCA. Signed by Judge R David Proctor on 6/22/2021. (KAM) (Entered: 06/22/2021)
06/24/2021	<u>2766</u>		STATUS REPORT <i>Joint Report Regarding Briefing Schedule for Dispositive Motions Not Dependent on Class Certification</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Attachments: # <u>1</u> Exhibit 1 – Proposed Order)(Whatley, Joe) (Entered: 06/24/2021)
06/25/2021	<u>2767</u>		ORDER re <u>2766</u> – In that Report, the parties requested that Section B of the Eighth Amended Scheduling Order (Doc. # <u>2718</u>) be modified. The request is GRANTED. Section B of the Eighth Amended Scheduling Order is MODIFIED as follows: All potentially dispositive motions on issues of liability which are not critically dependent on the outcome of class certification, materials in support, and supporting expert reports under Fed. R. Civ. P. 26(a)(2) were due on or before June 21, 2021. Responses to those

		Motions SHALL be filed on or before August 20, 2021. Any replies SHALL be filed on or before September 20, 2021. Signed by Judge R David Proctor on 6/25/2021. (KEK) (Entered: 06/25/2021)
06/25/2021	<u>2768</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on June 29, 2021 at 9:30 a.m. (Central)</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 06/25/2021)
06/29/2021		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 6/29/2021. A separate order will be entered setting the next status conference in September. (Court Reporter Risa Entrekin.) (KLL) (Entered: 06/29/2021)
06/30/2021	<u>2769</u>	Transcript of Proceedings held on June 29, 2021, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 7/21/2021. Redacted Transcript Deadline set for 7/31/2021. Release of Transcript Restriction set for 9/28/2021. (KAM) (Entered: 06/30/2021)
07/12/2021	<u>2770</u>	PROVIDER PLAINTIFF'S Reply in support of their Motion for Partial Summary Judgment regarding The Standard of Review for their Group Boycott Claims (KAM) Modified on 8/2/2021 (KAM,). (Entered: 07/12/2021)
07/12/2021	<u>2771</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2730</u> SEALED MOTION <i>Provider Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment Regarding the Standard of Review in Light of Amex</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 07/12/2021)
07/12/2021	<u>2772</u>	REPLY Brief filed by Defendant Defendants' Counsel re: <u>2727</u> MOTION for Summary Judgment (<i>"Defendants' Motion Regarding The Antitrust Standard Of Review Applicable To Provider Plaintiffs' Section 1 Claims Pursuant To Federal Rule Of Civil Procedure 56"</i>) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 07/12/2021)
07/20/2021	<u>2773</u>	Evidentiary Material re: <u>2750</u> MOTION for Summary Judgment (<i>"Defendants' Motion for Summary Judgment on (I) All Claims Advanced by Non-General Acute Care Hospital Providers and (II) Any Claims Based on Blue System Rules Other than ESAs or BlueCard for Failure to Demons . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)</i>)(Chesler, Evan) (Entered: 07/20/2021)
07/22/2021	<u>2774</u>	MOTION to Withdraw as Attorney by Caring for Montanans, Inc. f/k/a Blue Cross and Blue Shield of Montana, Inc., Defendants' Counsel, Highmark BCBS Inc., Highmark Inc., Highmark West Virginia Inc., Hospital Service Association of Northeastern Pennsylvania d/b/a Blue Cross of Northeastern

		Pennsylvania. (Zolner, Erica) (Entered: 07/22/2021)
07/22/2021	<u>2775</u>	Evidentiary Material re: <u>2760</u> Document Sealed, <u>2752</u> Response in Opposition to Motion, . (Attachments: # <u>1</u> Exhibit 322, # <u>2</u> Exhibit 323, # <u>3</u> Exhibit 324, # <u>4</u> Exhibit 325, # <u>5</u> Exhibit 326, # <u>6</u> Exhibit 327, # <u>7</u> Exhibit 328, # <u>8</u> Exhibit 330, # <u>9</u> Exhibit 332, # <u>10</u> Exhibit 333, # <u>11</u> Exhibit 334, # <u>12</u> Exhibit 335, # <u>13</u> Exhibit 336, # <u>14</u> Exhibit 337, # <u>15</u> Exhibit 338, # <u>16</u> Exhibit 339, # <u>17</u> Exhibit 341, # <u>18</u> Exhibit 342, # <u>19</u> Exhibit 343, # <u>20</u> Exhibit 344, # <u>21</u> Exhibit 345, # <u>22</u> Exhibit 346, # <u>23</u> Exhibit 347, # <u>24</u> Exhibit 348, # <u>25</u> Exhibit 349, # <u>26</u> Exhibit 350, # <u>27</u> Exhibit 351)(Chesler, Evan) (Entered: 07/22/2021)
07/22/2021	<u>2776</u>	Brief re <u>2729</u> SEALED MOTION (" <i>Defendants' Brief In Opposition To Provider Plaintiffs' Motion For Partial Summary Judgment Regarding The Standard Of Review Applicable To Providers' Group Boycott Claims</i> " --Redacted Version). (Chesler, Evan) (Entered: 07/22/2021)
07/22/2021	<u>2777</u>	***Document Sealed** DEFENDANTS" EVIDENTIARY SUBMISSION in Support of (I) Opposition to Provider Plaintiffs' Motion for Partial Summary Judgment regarding the Standard of Review Applicable to Providers' Group Boycott Claims and (II) RESPONSE to Provider Plaintiffs' Motion for Partial Summary Judgment regarding the Standard of Review in light of AMEX (Attachments: # <u>1</u> Exhibit 326, # <u>2</u> Exhibit 329, # <u>3</u> Exhibit 330, # <u>4</u> Exhibit 331 Part 1, # <u>5</u> Exhibit 331 Part 2, # <u>6</u> Exhibit 331 Part 3, # <u>7</u> Exhibit 339, # <u>8</u> Exhibit 340) (KAM) (Entered: 07/22/2021)
07/22/2021	2778	TEXT ORDER This matter is before the court on the Motion to Withdraw filed by attorney Erica B. Zolner. The Motion is GRANTED . The clerk of the court is directed to terminate attorney Zolner. Signed by Judge R David Proctor on 7/22/2021. (KAM) (Entered: 07/22/2021)
07/22/2021	<u>2779</u>	ORDER APPROVING SPECIAL MATER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2021 through June 30, 2021 in this matter as it relates to services rendered for both sides of this case, and totaling \$8,000.00. Signed by Judge R David Proctor on 7/22/2021. (KAM) (Entered: 07/22/2021)
07/22/2021	2780	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from June 1, 2021 through June 30, 2021 in this mater relating solely to the services provied to the Plaintiffs, and totaling \$72,000.00. Signed by Judge R David Proctor on 7/22/2021. (KAM) (Entered: 07/22/2021)
07/23/2021	<u>2781</u>	RESPONSE in Support re <u>2758</u> MOTION for Summary Judgment <i>On Providers' Damages Claims As Time-Barred And Speculative</i> filed by Blue Cross Blue Shield Michigan. (Kirby, Cason) (Entered: 07/23/2021)
07/23/2021	<u>2782</u>	Evidentiary Material re: <u>2758</u> MOTION for Summary Judgment <i>On Providers' Damages Claims As Time-Barred And Speculative</i> . (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11, # <u>12</u> Exhibit Exhibit 12, # <u>13</u> Exhibit Exhibit 13, # <u>14</u> Exhibit Exhibit 14, # <u>15</u> Exhibit Exhibit 15, # <u>16</u> Exhibit Exhibit 16, # <u>17</u> Exhibit Exhibit 17, # <u>18</u> Exhibit Exhibit 18)(Kirby,

		Cason) (Entered: 07/23/2021)
07/23/2021	<u>2783</u>	***Document Sealed*** DEFENDANTS' EVIDENTIARY SUBMISSION in support of Motion for Summary Judgment on Providers' Damages Claim as time-barred and speculative (Attachments: # <u>1</u> Exhibit 8, # <u>2</u> Exhibit 9, # <u>3</u> Exhibit 10, # <u>4</u> Exhibit 11, # <u>5</u> Exhibit 12, # <u>6</u> Exhibit 13, # <u>7</u> Exhibit 14, # <u>8</u> Exhibit 15, # <u>9</u> Exhibit 16, # <u>10</u> Exhibit 17) (KAM) (Entered: 07/23/2021)
07/27/2021	<u>2784</u>	MOTION for Partial Summary Judgment <i>on the Defendants' Single Entity Defense (Provider Plaintiffs) (Public Version of doc. 2748)</i> by Plaintiffs' Counsel. (Whatley, Joe) Modified on 8/2/2021 (KAM,). (Entered: 07/27/2021)
07/27/2021	<u>2785</u>	Evidentiary Material re: <u>2748</u> SEALED MOTION <i>in Support of Provider Plaintiffs' Motion for Partial Summary Judgment on the Defendants' Single Entity Defense.</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Whatley, Joe) (Entered: 07/27/2021)
07/27/2021	<u>2786</u>	Evidentiary Material re: <u>2747</u> Document Sealed <i>in Support of Provider Plaintiffs' Response in Opposition to Defendants' Motion Regarding the Standard of Review Applicable to Provider Plaintiffs' Section 1 Claims Pursuant to Federal Rule of Civil Procedure 56.</i> (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 07/27/2021)
07/27/2021	<u>2787</u>	***Document Sealed*** PROVIDER PLAINTIFFS' notice of filing sealed evidentiary submission in support of Motion for Partial Summary Judgment on the Defendants' Single Entity Defense (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 3) (KAM) (Entered: 07/27/2021)
07/27/2021	<u>2788</u>	Evidentiary Material re: <u>2770</u> Document Sealed <i>in Support of Provider Plaintiffs' Reply In Support of Their Motion for Partial Summary Judgment Regarding the Standard of Review for Their Group Boycott Claims.</i> (Attachments: # <u>1</u> Exhibit 8, # <u>2</u> Exhibit 9, # <u>3</u> Exhibit 10, # <u>4</u> Exhibit 11, # <u>5</u> Exhibit 12, # <u>6</u> Exhibit 13, # <u>7</u> Exhibit 14)(Whatley, Joe) (Entered: 07/27/2021)
07/27/2021	<u>2789</u>	***Document Sealed*** PROVIDER PLAINTIFFS' Evidentiary Submission in support of Rely in Support of their Motion for Partial Summary Judgement regarding the Standard of Review for their Group Boycott Claims (Attachments: # <u>1</u> Exhibit 9, # <u>2</u> Exhibit 12, # <u>3</u> Exhibit 13, # <u>4</u> Exhibit 14) (KAM) (Entered: 07/27/2021)
07/28/2021	<u>2790</u>	MOTION for Leave to File <i>Documents for In Camera Review</i> by ServisFirst Bancshares Inc, Topographic. Inc., Employee Services Inc. (Richie, John) (Entered: 07/28/2021)
07/30/2021	<u>2791</u>	Amicus Curiae APPEARANCE entered by John W Davis on behalf of John W Davis. filed by on behalf of John W Davis (Davis, John) (Entered: 07/30/2021)
08/03/2021	<u>2792</u>	ORDER Status Conference set for 9/14/2021 09:30 AM in New York, New York at the offices of Cravath, Swaine & Moore LLP, 825 8th Avenue, New York, NY 10019. In-person attendees must be vaccinated; On or before Wednesday, September 8, 2021, (1) the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed

		during the status conference; and (2) for security purposes, counsel attending in person SHALL notify the Special Master. Signed by Judge R David Proctor on 8/3/2021. (KAM) (Entered: 08/03/2021)
08/05/2021	<u>2793</u>	NOTICE by Defendants' Counsel (<i>"Notice of Filing Joint Comprehensive Index Regarding Exhibits to the Motions for Summary Judgment Related to the Standard of Review -- Redacted"</i>) (Attachments: # <u>1</u> Joint Index of Standard of Review Briefing Exhibits)(Chesler, Evan) (Entered: 08/05/2021)
08/05/2021	<u>2794</u>	***Document Sealed*** Defendants' Joint Comprehensive Index Regarding Exhibits to the Motions for Summary Judgment Related to the Standard of Review (Attachments: # <u>1</u> Exhibit 1) (KAM) (Entered: 08/05/2021)
08/19/2021	<u>2795</u>	Evidentiary Material re: <u>2753</u> MOTION for Partial Summary Judgment by <i>Certain Defendants</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7 – Filed Under Seal, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9 – Filed Under Seal, # <u>10</u> Exhibit 10 – Filed Under Seal, # <u>11</u> Exhibit 11 – Filed Under Seal)(Sooy, Kathleen) (Entered: 08/19/2021)
08/20/2021	<u>2796</u>	***Document Sealed – Exhibits in Support of Certain Defendants' Motion for Partial Summary Judgment. (Attachments: # <u>1</u> Exhibit 7, # <u>2</u> Exhibit 9, # <u>3</u> Exhibit 10, # <u>4</u> Exhibit 11) (KEK) (Entered: 08/20/2021)
08/20/2021	<u>2797</u>	***Document Sealed – PROVIDER PLAINTIFFS' OPPOSITION to <u>2750</u> Motion. (KEK) (Entered: 08/20/2021)
08/20/2021	<u>2798</u>	PROVIDER PLAINTIFFS' OPPOSITION to <u>2758</u> Motion.(KEK) Modified on 8/30/2021 (KAM). (Entered: 08/20/2021)
08/20/2021	<u>2799</u>	RESPONSE in Opposition re <u>2753</u> MOTION for Partial Summary Judgment by <i>Certain Defendants</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Whatley, Joe) (Entered: 08/20/2021)
08/20/2021	<u>2800</u>	Opposition to re <u>2749</u> (<i>"Defendants' Opposition to Provider Plaintiffs' Motion for Partial Summary Judgment on Defendants' Common-Law Trademark Rights"</i>) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 08/20/2021)
08/20/2021	<u>2801</u>	RESPONSE in Opposition re <u>2748</u> SEALED MOTION (<i>"Defendants' Brief in Opposition to Provider Plaintiffs' Motion for Partial Summary Judgment on the Defendants' Single Entity Defense"</i>) filed by Defendants' Counsel. (Chesler, Evan) (Entered: 08/20/2021)
08/23/2021	<u>2802</u>	MOTION for Leave to File Excess Pages for <i>Subscribers' Final Approval Brief and Consolidated Responses to Objections</i> by Plaintiffs' Counsel. (Guin, David) (Entered: 08/23/2021)
08/23/2021	<u>2803</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2021 through July 31, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$50,000.00. Signed by Judge R David Proctor on 8/23/2021. (KAM) (Entered: 08/23/2021)
08/23/2021	2804	

			TEXT ORDER – This matter is before the court on Subscriber Plaintiffs Motion to File a Consolidated Brief, Not Exceeding 150 Pages, in Support of Final Approval and in Response to All Timely–Submitted Objections. <u>2802</u> For good cause shown, the Motion <u>2802</u> is GRANTED . Subscriber Plaintiffs may file a consolidated brief in support final approval not to exceed 150 pages. Signed by Judge R David Proctor on 8/23/2021. (KAM) (Entered: 08/23/2021)
08/26/2021	<u>2805</u>		MOTION for Extension of Time <i>for Filing Deadlines Related to Class Settlement</i> by Plaintiffs' Counsel. (Guin, David) (Entered: 08/26/2021)
08/26/2021	<u>2806</u>		ORDER AMENDING DEADLINE RELATED TO CLASS SETTLEMENT This matter is before the court on Subscriber Plaintiffs Unopposed Motion for Extension of Filing Deadlines Related to Class Settlement <u>2805</u> ; the Motion is GRANTED ; The language below in bold italics SHALL be inserted so that paragraph 29 provides as follows: Friday, September 3, 2021 Deadline for Parties to file any Motion(s) for Final Approval of Settlement and responses to any timely submitted Settlement Class Member objections. Signed by Judge R David Proctor on 8/26/2021. (KAM) (Entered: 08/26/2021)
08/27/2021	<u>2807</u>		Evidentiary Material re: <u>2800</u> Opposition (other) (" <i>Evidentiary Submission in Support of Defendants' Opposition to Provider Plaintiffs' Motion for Partial Summary Judgment on Defendants' Common–Law Trademark Rights</i> "). (Attachments: # <u>1</u> Exhibit 1)(Chesler, Evan) (Entered: 08/27/2021)
08/27/2021	<u>2808</u>		Evidentiary Material re: <u>2801</u> Response in Opposition to Motion, (" <i>Evidentiary Submission in Support of Defendants' Brief in Opposition to Provider Plaintiffs' Motion for Partial Summary Judgment on the Defendants' Single Entity Defense</i> "). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Chesler, Evan) (Entered: 08/27/2021)
08/30/2021	2809		TEXT ORDER This matter is before the court on an informal report from the Seal Team. In light of that report, the Clerk of Court is directed to UNSEAL Doc. <u>2798</u> . Signed by Judge R David Proctor on 8/30/2021. (KAM) (Entered: 08/30/2021)
08/30/2021	<u>2810</u>		Evidentiary Material re: <u>2798</u> Document Sealed <i>in Support of Provider Plaintiffs' Opposition to Defendants' Motion for Summary Judgment on Providers' Damages Claims as Time–Barred and Speculative</i> . (Attachments: # <u>1</u> Exhibit 1)(Whatley, Joe) (Entered: 08/30/2021)
08/31/2021	<u>2811</u>		NOTICE by Plaintiffs' Counsel <i>of Death of Corporate Representative</i> (Whatley, Joe) (Entered: 08/31/2021)
09/03/2021	<u>2812</u>		MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Subscriber Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of Class Settlement, # <u>2</u> Exhibit A – Keough Declaration, # <u>3</u> Keough Declaration Exhibits A–G, # <u>4</u> Keough Declaration Exhibit H (part 1), # <u>5</u> Keough Declaration Exhibit H (part 2) – P, # <u>6</u> Keough Declaration Exhibit Q, # <u>7</u> Exhibit B – Rubinfeld Declaration, # <u>8</u> Exhibit C – Regional Carriers, # <u>9</u> Exhibit D – Mason Declaration, # <u>10</u> Exhibit E – BCBS–AZ_MDL000124422, # <u>11</u> Exhibit F – CAREFIRST_ESI_06681777,

		# <u>12</u> Exhibit G – ARKBCBS0047016, # <u>13</u> Exhibit H – DOL Letter, # <u>14</u> Exhibit I – Resume of Judge Gonzalez, # <u>15</u> Exhibit J – Proposed Order Appointing Settlement Administrator, # <u>16</u> Exhibit K – Proposed Amended Data Production Order, # <u>17</u> Exhibit L – Proposed Final Judgment and Order of Approval, # <u>18</u> Exhibit M – Proposed Fee Order, # <u>19</u> Exhibits 1–3, # <u>20</u> Exhibits 4–14, # <u>21</u> Exhibits 15–30, # <u>22</u> Exhibits 31–40)(Hausfeld, Michael) (Entered: 09/03/2021)
09/03/2021	<u>2813</u>	Brief <i>Defendants' Brief in Support of Subscriber Plaintiffs' Motion for Final Approval of Proposed Class Settlement</i> . (Attachments: # <u>1</u> Exhibit 1 – B. Roberts Deposition Excerpt, # <u>2</u> Exhibit 2 – R. Abbott Deposition Excerpt, # <u>3</u> Exhibit 3 – K. Murphy Deposition Excerpt, # <u>4</u> Exhibit 4 – S. Serota Deposition Excerpt, # <u>5</u> Exhibit 5 – R. Kolodgy Deposition Excerpt, # <u>6</u> Exhibit 6 – D. Rubinfeld Deposition Excerpt, # <u>7</u> Exhibit 7 – H. Frech Deposition Excerpt)(Laytin, Daniel) (Entered: 09/03/2021)
09/03/2021	<u>2814</u>	Brief <i>Defendants' Response to Department of Labor's Letter</i> . (Zott, David) (Entered: 09/03/2021)
09/08/2021	<u>2815</u>	STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on September 14, 2021 at 9:30 a.m. (Eastern)</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 09/08/2021)
09/17/2021	<u>2816</u>	Transcript of Proceedings held on 9/14/2021, before Judge R David Proctor. Court Reporter/Transcriber Risa Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 10/8/2021. Redacted Transcript Deadline set for 10/18/2021. Release of Transcript Restriction set for 12/16/2021. (KEK) (Entered: 09/17/2021)
09/17/2021	<u>2817</u>	MOTION to Withdraw as Attorney for <i>Leslie Pescia</i> by Plaintiffs' Counsel. (Pescia, Leslie) (Entered: 09/17/2021)
09/20/2021	2818	TEXT ORDER This matter is before the court on the Motion to Withdraw filed by Leslie L. Pescia. <u>2817</u> The Motion <u>2817</u> is GRANTED . The Clerk of Court is directed to terminate Attorney Pescia. Signed by Judge R David Proctor on 9/20/2021. (KAM) (Entered: 09/20/2021)
09/20/2021	<u>2819</u>	Defendants' Reply in support of their Motion for Summary Judgment on (I) all claims advanced by Non-General Acute Care Hospital Providers and (II) any claims based on Blue System rules other than ESAS or Bluecard for failure to demonstrate injury or damages (KAM) Document unsealed on 10/7/2021 (KAM). (Entered: 09/20/2021)
09/20/2021	<u>2820</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2748</u> SEALED MOTION <i>Provider Plaintiffs' Reply In Support of Their Motion for Partial Summary Judgment on the Defendants' Single Entity Defense</i> filed by

		Plaintiffs' Counsel. (Whatley, Joe) (Entered: 09/20/2021)
09/20/2021	<u>2821</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2749</u> Document Sealed <i>Provider Plaintiffs' Reply In Support of Their Motion for Partial Summary Judgment on Defendants' Claim to Common-Law Trademark Rights</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 09/20/2021)
09/20/2021	<u>2822</u>	REPLY Brief filed by Defendant Defendants' Counsel re: <u>2753</u> MOTION for Partial Summary Judgment <i>by Certain Defendants</i> filed by Defendants' Counsel. (Sooy, Kathleen) (Entered: 09/20/2021)
09/20/2021	<u>2823</u>	REPLY Brief filed by Defendant Blue Cross Blue Shield Michigan re: <u>2758</u> MOTION for Summary Judgment <i>On Providers' Damages Claims As Time-Barred And Speculative</i> filed by Blue Cross Blue Shield Michigan. (Stenerson, Todd) (Entered: 09/20/2021)
09/20/2021	<u>2824</u>	Evidentiary Material re: <u>2753</u> MOTION for Partial Summary Judgment <i>by Certain Defendants (Exhibits 12-17)</i> . (Attachments: # <u>1</u> Exhibit 12, # <u>2</u> Exhibit 13, # <u>3</u> Exhibit 14 (Part 1 of 10), # <u>4</u> Exhibit 14 (Part 2 of 10), # <u>5</u> Exhibit 14 (Part 3 of 10), # <u>6</u> Exhibit 14 (Part 4 of 10), # <u>7</u> Exhibit 14 (Part 5 of 10), # <u>8</u> Exhibit 14 (Part 6 of 10), # <u>9</u> Exhibit 14 (Part 7 of 10), # <u>10</u> Exhibit 14 (Part 8 of 10), # <u>11</u> Exhibit 14 (Part 9 of 10), # <u>12</u> Exhibit 14 (Part 10 of 10), # <u>13</u> Exhibit 15 (Part 1 of 10), # <u>14</u> Exhibit 15 (Part 2 of 10), # <u>15</u> Exhibit 15 (Part 3 of 10), # <u>16</u> Exhibit 15 (Part 4 of 10), # <u>17</u> Exhibit 15 (Part 5 of 10), # <u>18</u> Exhibit 15 (Part 6 of 10), # <u>19</u> Exhibit 15 (Part 7 of 10), # <u>20</u> Exhibit 15 (Part 8 of 10), # <u>21</u> Exhibit 15 (Part 9 of 10), # <u>22</u> Exhibit 15 (Part 10 of 10), # <u>23</u> Exhibit 16, # <u>24</u> Exhibit 17)(Sooy, Kathleen) (Entered: 09/20/2021)
09/24/2021	<u>2825</u>	NOTICE by Plaintiffs' Counsel re <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement of Filing Revised Redacted Ex. D</i> (Attachments: # <u>1</u> Exhibit 1)(Stokes, Tammy) (Entered: 09/24/2021)
09/24/2021	<u>2826</u>	***Document Sealed** SUBSCRIBER PLAINTIFFS' NOTICE of filing EXHIBIT D in support of Motion for Final Approval of Class Settlement and Appointment of Settlement Administrator (KAM) (Entered: 09/24/2021)
09/24/2021	<u>2827</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from August 1, 2021 through August 31, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$60,000.00. Signed by Judge R David Proctor on 9/24/2021. (KAM) (Entered: 09/24/2021)
09/24/2021	<u>2828</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for payment for services rendered and expenses incurred from July 1, 2021 through August 31, 2021 in this matter as it relates to services rendered for both sides of the case, and totaling \$7,500.00. Signed by Judge R David Proctor on 9/24/2021. (KAM) (Entered: 09/24/2021)
09/27/2021	2829	TEXT ORDER: This matter is before the court on an informal request from the National Account Objectors to file a reply memorandum in support of their Motion Either to Opt Out of the Injunctive Relief Settlement Class or, In the Alternative, Opposition to the Approval of the Injunctive Relief Class Settlement. The request is GRANTED . The National Account Objectors may

		file a reply brief of up to 25 pages. Signed by Judge R David Proctor on 9/27/2021. (KAM) (Entered: 09/27/2021)
09/27/2021	<u>2830</u>	REPLY Brief filed by Objector National Account Objectors re: 2829 Order, <i>National Accounts' Reply Memorandum in Support of Their Motion to Opt Out of the Injunctive Relief Settlement Class or, in the Alternative, Opposition to the Approval of the Injunctive Relief Class Settlement</i> filed by National Account Objectors. (Slater, Paul) (Entered: 09/27/2021)
09/27/2021	2831	TEXT ORDER – This matter is before the court on the Self–Funded Subclass Objectors Motion to Submit Documents for <i>In Camera</i> Review. <u>2790</u> Pursuant to the Long Form Notice approved by the court, Objectors to the proposed Subscriber Settlement must submit documents reflecting the terms of any agreements that relate to the objection process, including agreements relating to the engagement of counsel. [2611–2 at 105] The Self–Funded Subclass Objectors Motion <u>2790</u> is GRANTED IN PART . The Self–Funded Subclass Objectors may submit their engagement–related documents <i>in camera</i> , by providing them to chambers. Signed by Judge R David Proctor on 9/27/2021. (KAM) (Entered: 09/27/2021)
09/28/2021	<u>2832</u>	MOTION for Disclosure by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc.. (Richie, John) (Entered: 09/28/2021)
09/30/2021	<u>2833</u>	MOTION for Leave to Appear as Amicus Curiae in support of Article III Jurisdictional defect to the Subscribers' settlement by Shiyang Huang. (KAM) (Entered: 10/01/2021)
10/01/2021	<u>2834</u>	ORDER This matter is before the court on the Motion for Leave to Appear as Amicus Curiae in Support of Article III Jurisdictional Defect to the Subscribers Settlement filed by Shiyang Huang <u>2833</u> ; the Motion is DENIED ; as part of the approval process, the court will address its Article III jurisdiction in relation to the Subscribers claims for injunctive relief and to provide the injunctive relief contemplated in the Subscribers Settlement. Signed by Judge R David Proctor on 10/1/2021. (KAM) (Entered: 10/01/2021)
10/04/2021	<u>2835</u>	ORDER AMENDING THE PRELIMINARY APPROVAL ORDER <u>2641</u> ; In order to facilitate the attendance of interested persons at the Final Approval Hearing, the Court AMENDS Document # <u>2641</u> , paragraph 28, sentence one, to provide as follows: Final Approval Hearing is hereby scheduled before the undersigned to be commenced on Wednesday, October 20, 2021, at 10:00 a.m. Central Time, continuing on Thursday, October 21, 2021, if necessary . This hearing will be held in person. However, given the current state of the COVID–19 pandemic, the hearing will take place IN PERSON and REMOTELY , via Zoom video conference, and with telephone audio access provided for the public; Those wishing to attend by Zoom SHALL make a written request to the Special Master by October 13, 2021; ANY RECORDING OF THE HEARING BY ANYONE OTHER THAN THE COURT IS STRICTLY PROHIBITED . Signed by Judge R David Proctor on 10/4/2021. (KAM) (Entered: 10/04/2021)
10/07/2021	<u>2836</u>	MOTION to Compel <i>Appearance of Dr. Mason at Fairness Hearing</i> by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc.. (Richie, John) (Entered: 10/07/2021)

10/07/2021	<u>2837</u>		Unopposed MOTION for Leave to File <i>Sur-Reply Brief</i> by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc.. (Richie, John) (Entered: 10/07/2021)
10/07/2021	2838		TEXT ORDER – This matter is before the court on an informal report from the Seal Team. In light of that report, the Clerk of Court is DIRECTED to UNSEAL Doc. # 2819. <u>2819</u> .. Signed by Judge R David Proctor on 10/7/25021. (KAM) (Entered: 10/07/2021)
10/07/2021	<u>2839</u>		Evidentiary Material re: <u>2819</u> Document Sealed, (<i>Reply Brief</i>). (Attachments: # <u>1</u> Exhibit 4, # <u>2</u> Exhibit 5, # <u>3</u> Exhibit 6, # <u>4</u> Exhibit 7, # <u>5</u> Exhibit 8, # <u>6</u> Exhibit 9, # <u>7</u> Exhibit 10, # <u>8</u> Exhibit 11)(Chesler, Evan) (Entered: 10/07/2021)
10/08/2021	2840		TEXT ORDER – This matter is before the court on the Self-Funded Subclass Objectors Unopposed Motion for Leave to File a Reply Brief. <u>2837</u> The Motion <u>2837</u> is GRANTED . On or before October 12, 2021 , the Self-Funded Subclass Objectors may file a reply brief of up to 35 pages. Signed by Judge R David Proctor on 10/8/2021. (KAM) (Entered: 10/08/2021)
10/08/2021	<u>2841</u>		ORDER This matter is before on the following Motions filed by the Self-Funded Subclass Objectors: (1) a Motion for Reciprocal Disclosure of Settlement Proponents Agreements (Doc. # 2832) and (2) a Motion to Require Dr. Mason to Appear at the Fairness Hearing and for Production of Certain Portions of His File (Doc. # 2836); <u>2832</u> Motion for Disclosure is GRANTED IN PART . on or before October 15, 2021 , Lead Counsel for the Fully Insured Subclass and for the Self-Funded Subclass SHALL file with the Clerk of Court: (1) any engagement-related documents regarding their representation of the Subscriber Settlement Subclasses, and (2) any agreements related to the retention of Dr. Mason; <u>2836</u> Motion to Compel is GRANTED IN PART ; Dr. Mason and the Self-Funded Objectors experts Ugo Okewho and Jim Watson SHALL attend the Fairness hearing on October 20 (and, as necessary, October 21), 2021 to present testimony and submit to cross examination either in person or by deposition; On or before Thursday, October 14, 2021, interested parties SHALL meet and confer and determine the scope of document production from these experts, which scope SHALL apply reciprocally to all of these experts; On or before October 18, 2021 , interested parties SHALL file a notice with the court to inform it whether these witnesses will appear live or by deposition; In all other respects, the Motions (Docs. # 2832 and 2836) are DENIED . Signed by Judge R David Proctor on 10/8/2021. (KAM) Modified on 10/8/2021 (KAM,). (Entered: 10/08/2021)
10/11/2021	<u>2842</u>		Evidentiary Material re: <u>2797</u> Document Sealed <i>in Support of Provider Plaintiffs' Opposition to Defendants' Motion for Summary Judgment on (I) All Claims Advanced by Non-General Acute Care Hospital Providers and (II) Any Claims Based on Blue System Rules Other Than ESAs or BlueCard for Failure to Demonstrate Injury or Damages</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Whatley, Joe) (Entered: 10/11/2021)
10/11/2021	<u>2843</u>		RESPONSE in Opposition re <u>2750</u> MOTION for Summary Judgment (" <i>Defendants' Motion for Summary Judgment on (I) All Claims Advanced by</i>

			<i>Non-General Acute Care Hospital Providers and (II) Any Claims Based on Blue System Rules Other than ESAs or BlueCard for Failure to Demonstrate Injury or Damages (Public Version) filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 10/11/2021)</i>
10/12/2021	<u>2844</u>		***Document Sealed***PROVIDER PLAINTIFFS' Evidentiary submission in support of Opposition to Defendant's Motion for Summary Judgment on (I) all claims advanced by non-general acute care hospital providers and (II) any claims based on Blue System rules other than Easas or Bluecard for failure to demonstrate injury or damages (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 3, # <u>3</u> Exhibit 4, # <u>4</u> Exhibit 6, # <u>5</u> Exhibit 7) (KAM) (Entered: 10/12/2021)
10/12/2021	<u>2845</u>		REPLY Brief filed by Objectors Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc. re: <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement</i> filed by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Richie, John) (Entered: 10/12/2021)
10/15/2021	<u>2846</u>		NOTICE by Plaintiffs' Counsel re <u>2841</u> Order on Motion for Disclosure,,,,,, Order on Motion to Compel,,,,, by <i>Fully Insured Subscriber Plaintiffs of Filing Retainer Agreements</i> (Attachments: # <u>1</u> 1, # <u>2</u> 2, # <u>3</u> 3, # <u>4</u> 4, # <u>5</u> 5, # <u>6</u> 6, # <u>7</u> 7, # <u>8</u> 8, # <u>9</u> 9, # <u>10</u> 10, # <u>11</u> 11, # <u>12</u> 12, # <u>13</u> 13, # <u>14</u> 14, # <u>15</u> 15, # <u>16</u> 16, # <u>17</u> 17, # <u>18</u> 18, # <u>19</u> 19, # <u>20</u> 20, # <u>21</u> 21, # <u>22</u> 22, # <u>23</u> 23, # <u>24</u> 24, # <u>25</u> 25, # <u>26</u> 26, # <u>27</u> 27, # <u>28</u> 28, # <u>29</u> 29, # <u>30</u> 30, # <u>31</u> 31, # <u>32</u> 32, # <u>33</u> 33, # <u>34</u> 34, # <u>35</u> 35, # <u>36</u> 36, # <u>37</u> 37, # <u>38</u> 38, # <u>39</u> 39, # <u>40</u> 40, # <u>41</u> 41, # <u>42</u> 42, # <u>43</u> 43, # <u>44</u> 44, # <u>45</u> 45, # <u>46</u> 46, # <u>47</u> 47, # <u>48</u> 48, # <u>49</u> 49, # <u>50</u> 50, # <u>51</u> 51, # <u>52</u> 52, # <u>53</u> 53, # <u>54</u> 54, # <u>55</u> 55, # <u>56</u> 56, # <u>57</u> 57, # <u>58</u> 58, # <u>59</u> 59, # <u>60</u> 60, # <u>61</u> 61, # <u>62</u> 62, # <u>63</u> 63)(Guin, David) (Entered: 10/15/2021)
10/15/2021	<u>2847</u>		NOTICE by Plaintiffs' Counsel of <i>Self-Funded Subclass Plaintiffs' Filing of Engagement Documents</i> (Attachments: # <u>1</u> Exhibit Fee Agreement, # <u>2</u> Exhibit Engagement letter)(Gregory, Steven) (Entered: 10/15/2021)
10/15/2021	<u>2848</u>		NOTICE by Plaintiffs' Counsel of <i>Filing of Self-Funded Subclass's Engagement Letter</i> (Attachments: # <u>1</u> Exhibit Retainer Agreement)(Gregory, Steven) (Entered: 10/15/2021)
10/18/2021	<u>2849</u>		NOTICE by Plaintiffs' Counsel of <i>the Parties' Joint Proposed Agenda for Final Approval Hearing</i> (Guin, David) (Entered: 10/18/2021)
10/18/2021	<u>2850</u>		NOTICE of Appearance by Eirik Cheverud on behalf of U.S. Department of Labor (Cheverud, Eirik) (Entered: 10/18/2021)
10/18/2021	<u>2851</u>		STATUS REPORT <i>Joint as to Allocation Expert Testimony and Document Disclosure as Ordered by Court on Oct 8</i> by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc.. filed by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc. (Richie, John) (Entered: 10/18/2021)
10/19/2021	<u>2852</u>		NOTICE of Appearance by Anthony F Shelley on behalf of Defendants' Counsel (Shelley, Anthony) (Entered: 10/19/2021)

10/19/2021	<u>2853</u>		NOTICE of Appearance by Theresa (Tess) S Gee on behalf of Defendants' Counsel (Gee, Theresa (Tess)) (Entered: 10/19/2021)
10/19/2021	<u>2854</u>		NOTICE of Appearance by Jeffrey M Hahn on behalf of U.S. Department of Labor (Hahn, Jeffrey) (Entered: 10/19/2021)
10/19/2021	2855		TEXT ORDER The court previously required counsel for the two classes in this case to publicly disclose any retention agreements they have with class representatives. Recent amendments to Rule 23(e)(5) direct the court to evaluate the motives or potential motives of objectors. Although the court has no reason to believe that any particular attorney for an objector has any improper motive, the best practice is to require appropriate disclosures of retention agreements between outside counsel for objectors and their clients. <i>See</i> Advisory Committee Notes to 2018 Amendments to Fed. R. Civ. P. 23(e)(5). However, the Objectors' counsel retention agreements should not be made publicly available. Instead, those agreements should be made available to proponents of the settlement. For these reasons, outside counsel for Objectors SHALL disclose to the Special Master any retention agreement related to this action that exists between counsel and counsel's clients. The Special Master SHALL in turn provide those retention agreements to Subscriber class counsel, ASO class counsel, and Blue Cross Blue Shield counsel. Signed by Judge R David Proctor on 10/19/2021. (KAM) (Entered: 10/19/2021)
10/19/2021	<u>2856</u>		MOTION for Leave to File <i>Statement of Interest as Amicus Curiae</i> by U.S. Department of Labor. (Attachments: # <u>1</u> Statement of Interest by Amicus Curiae Secretary of Labor)(Cheverud, Eirik) (Entered: 10/19/2021)
10/19/2021	<u>2857</u>		NOTICE of Appearance by Wayne R Berry on behalf of U.S. Department of Labor (Berry, Wayne) (Entered: 10/19/2021)
10/20/2021			Minute Entry for proceedings held before Judge R David Proctor: Motion Hearing begun on 10/20/2021 re <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement</i> filed by Plaintiffs' Counsel. Fairness Evidentiary Hearing CONTINUING ON 10/21/2021 at 9:00 AM (CST) in the Special Proceedings courtroom located on the 8th floor of the Hugo L Black US Courthouse, in Birmingham, AL before Judge R David Proctor. However, given the current state of the COVID-19 pandemic, the hearing will take place IN PERSON and REMOTELY, via Zoom video conference, and with telephone audio access provided for the public (see the court's previous order for dial in number <u>2835</u>). ANY RECORDING OF THE HEARING BY ANYONE OTHER THAN THE COURT IS STRICTLY PROHIBITED. (Court Reporter Risa Entrekin.) (KLL) (Entered: 10/20/2021)
10/21/2021	<u>2858</u>		NOTICE by Defendants' Counsel (" <i>Notice of Filing Joint Comprehensive Index Regarding Exhibits to the Motions for Summary Judgment</i> ") (Attachments: # <u>1</u> Joint Index of Summary Judgment Briefing Exhibits)(Chesler, Evan) (Entered: 10/21/2021)
10/21/2021			Minute Entry for proceedings concluded before Judge R David Proctor: Evidentiary Hearing held on 10/21/2021. Testimony presented by Subscribers/Plaintiffs; Testimony presented by Defendants/Objectors. Post-hearing briefings schedule as indicated on the record. Court adjourned.

			(Court Reporter Risa Entrekin.) (KLL) (Entered: 10/21/2021)
10/25/2021	<u>2859</u>		ORDER REGARDING CONTINUATION OF FINAL APPROVAL HEARING As discussed at the close of the Final Approval Hearing on Thursday, October 21, 2021, the court will hear argument from the parties and the United States Secretary of Labor concerning issues the Secretary contends are raised by the proposed settlement under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq. A continuation of the Final Approval Hearing is hereby scheduled to take place on Wednesday, October 27, 2021, at 10:00 a.m. Central Time . This hearing will take place REMOTELY , via Zoom video conference, and with telephone audio access provided for the public. Those wishing to attend by Zoom SHALL make a request to the Special Master by 12:00 noon on Tuesday, October 26, 2021 . Other interested parties, counsel, and the public may attend the hearing by listening to the hearing free of charge via telephone by dialing (844) 291-5489, access code 1007496. Judicial Conference policy provides that ANY RECORDING OF THE HEARING BY ANYONE OTHER THAN THE COURT IS STRICTLY PROHIBITED . Signed by Judge R David Proctor on 10/25/2021. (KAM) (Entered: 10/25/2021)
10/26/2021	<u>2860</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2021 through September 30, 2021 in this matter as it relates to services rendered for both sides of the case, and totaling \$15,000.00. Signed by Judge R David Proctor on 10/26/2021. (KAM) (Entered: 10/26/2021)
10/26/2021	<u>2861</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from September 1, 2021 through September 30, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$41,000.00. Signed by Judge R David Proctor on 10/26/2021. (KAM) (Entered: 10/26/2021)
10/26/2021	<u>2862</u>		ORDER – before the court is the Self-Funded Subclass Objectors' request that the court require Dr. Joseph Mason to be deposed; the request was made during the Fairness Hearing held on October 20–21, 2021; The court is satisfied that it has the proper record information before it to determine if the Fully-Insured/ASO allocation was fair, adequate, and reasonable; the Self-Funded Subclass Objectors' request to depose Dr. Mason is DENIED . Signed by Judge R David Proctor on 10/26/2021. (KAM) (Entered: 10/26/2021)
10/26/2021	<u>2863</u>		ORDER – this matter is before the court on the U.S. Secretary of Labor's Motion for Leave to File Statement of Interest and to Participate in Fairness Hearing <u>2856</u> ; the motion is GRANTED IN PART ; The court has already scheduled time to hear argument from the Secretary with regard to the proposed Settlement. <u>2859</u> . The Court accepts the Secretary's Statement of Interest as part of the Fairness Hearing record. Signed by Judge R David Proctor on 10/26/2021. (KAM) (Entered: 10/26/2021)
10/27/2021			Minute Entry for proceedings held before Judge R David Proctor: Motion Hearing held on 10/27/2021 re <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement</i> filed by Plaintiffs' Counsel. (Court Reporter Risa Entrekin.) (KLL) (Entered: 10/27/2021)

11/03/2021	<u>2864</u>	<p>Transcript (Volume I) of Motion Hearing for Final Approval of Class Settlement of Subscriber Claims held on October 20, 2021, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/24/2021. Redacted Transcript Deadline set for 12/4/2021. Release of Transcript Restriction set for 2/1/2022. (KAM) (Entered: 11/03/2021)</p>
11/05/2021	<u>2865</u>	<p>Transcript (Volume II) of Proceedings Motion Hearing for Final Approval of Class Settlement held on October 21, 2021, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/26/2021. Redacted Transcript Deadline set for 12/6/2021. Release of Transcript Restriction set for 2/3/2022. (KAM) (Entered: 11/05/2021)</p>
11/05/2021	<u>2866</u>	<p>Transcript (Volume III) of Proceedings Motion Hearing for Final Approval of Class Settlement of Subscriber Plaintiffs; Claims held on October 27, 2021, before Judge R. David Proctor. Court Reporter/Transcriber Risa L. Entrekin. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 11/26/2021. Redacted Transcript Deadline set for 12/6/2021. Release of Transcript Restriction set for 2/3/2022. (KAM) (Entered: 11/05/2021)</p>
11/09/2021	2867	<p>TEXT ORDER – At the end of the second full day of the Fairness Hearing, the court announced deadlines for post-hearing briefing regarding the proposed Settlement and the objections received by the court. Interested parties are REMINDED of the following deadlines: (1) the deadline for the Settlement Proponents to file any further written submissions in favor of the</p>

		Settlement is November 12, 2021 ; (2) the deadline for any Objectors or other interested persons to respond to the Settlement Proponents' written submissions is December 1, 2021 ; (3) the deadline for any reply to the Objectors submissions from the Settlement Proponents or other interested parties is December 10, 2021 . Signed by Judge R David Proctor on 11/9/2021. (KAM) (Entered: 11/09/2021)
11/12/2021	<u>2868</u>	RESPONSE in Support re <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement</i> filed by Plaintiffs' Counsel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Hausfeld, Michael) (Entered: 11/12/2021)
11/12/2021	<u>2869</u>	RESPONSE in Support re <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiff's Motion for Final Approval of Class Settlement</i> filed by Defendants' Counsel. (Laytin, Daniel) (Entered: 11/12/2021)
11/22/2021	2870	TEXT ORDER This matter is before the court on an informal request for an extension of the deadlines for post-hearing briefing regarding the proposed Settlement and the objections received by the court. The request is unopposed, and is GRANTED . It is ORDERED as follows: (1) the deadline for any Objectors or other interested persons to respond to the Settlement Proponents' written submissions is December 8, 2021 ; and (2) the deadline for any reply to the Objectors submissions from the Settlement Proponents or other interested parties is December 17, 2021 . Signed by Judge R David Proctor on 11/22/2021. (KAM) (Entered: 11/22/2021)
11/22/2021	<u>2871</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from October 1, 2021 through October 31, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$44,000.00. Signed by Judge R David Proctor on 11/22/2021. (KAM) (Entered: 11/22/2021)
11/24/2021	2872	TEXT ORDER The court understands that the Provider/Blues mediator has discussed with those parties the courts idea of conducting an economics day designed to further educate the court and the mediators regarding the provider-side market. The court contemplates that attorneys and client representatives rather than experts will be primarily involved. To that end, the Providers and the Blues SHALL meet and confer regarding dates in January or February that would be convenient for that. On or before December 3, 2021 , the Providers and Blues SHALL report to the court regarding their availability. Signed by Judge R David Proctor on 11/24/2021. (KAM) (Entered: 11/24/2021)
12/02/2021	<u>2873</u>	RESPONSE to Settlement Proponent's Post-Hearing Arguments by Shiyant Huang (pro se') (received 11/22/2021). (KAM) (Entered: 12/02/2021)
12/08/2021	<u>2874</u>	RESPONSE to <i>Settlement Proponents Post-Hearing Arguments</i> filed by General Motors. (Wancjer, Hershel) (Entered: 12/08/2021)
12/08/2021	<u>2875</u>	RESPONSE to <i>Post Hearing and Renewal of Objections</i> filed by Home Depot U.S.A., Inc.,. (Lowrey, Frank) (Entered: 12/08/2021)
12/08/2021	<u>2876</u>	Brief <i>Alaska Air Movants' Post Fairness Hearing Brief</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Slater, Paul) (Entered: 12/08/2021)

12/08/2021	<u>2877</u>		Brief by Self–Funded Subclass Objectors Post–Fairness Hearing [2812–19]. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Richie, John) (Entered: 12/08/2021)
12/08/2021	<u>2878</u>		RESPONSE to re <u>2868</u> , <u>2869</u> Provider Plaintiffs' Response to Subscriber Plaintiffs' and Defendants' Post–Hearing Briefs In Support of Final Approval filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 12/08/2021)
12/09/2021	<u>2879</u>		AMENDED STIPULATION AND ORDER REGARDING PROTECTED HEALTH INFORMATION AND PERSONALLY IDENTIFIABLE INFORMATION FOR SUBSCRIBER SETTLEMENT. Signed by Judge R David Proctor on 12/9/2021. (KAM) (Entered: 12/09/2021)
12/17/2021	<u>2880</u>		REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2868</u> Response in Support of Motion, <u>2812</u> MOTION for Settlement <i>Subscriber Plaintiffs' Motion for Final Approval of Class Settlement</i> filed by Plaintiffs' Counsel. (Hausfeld, Michael) (Entered: 12/17/2021)
12/17/2021	<u>2881</u>		REPLY Brief filed by Defendant Defendants' Counsel re: <u>2869</u> Response in Support of Motion <i>Defendants' Post–Hearing Reply Brief in Support of Final Approval</i> filed by Defendants' Counsel. (Laytin, Daniel) (Entered: 12/17/2021)
12/23/2021	<u>2882</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 12/23/2021. (KEK) (Entered: 12/23/2021)
12/28/2021	<u>2883</u>		MOTION to Withdraw as Attorney by Blue Cross and Blue Shield of Alabama. (Priester, James) (Entered: 12/28/2021)
01/05/2022	2884		TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by attorney James L. Priester. <u>2883</u> The Motion <u>2883</u> is GRANTED . The Clerk of Court is DIRECTED to TERMINATE attorney Priester as counsel for BCBS–AL in this MDL, as well as in the underlying cases in which he has appeared which are listed in the Motion. <u>2883</u> Other attorneys from Maynard, Cooper & Gale, P.C. will continue to represent BCBS–AL.. Signed by Judge R David Proctor on 1/5/2022. (KAM) (Entered: 01/05/2022)
01/10/2022	<u>2885</u>		MOTION for Supplemental Notice to Self–Funded Accounts by Plaintiffs' Counsel. (Attachments: # <u>1</u> Declaration of Jennifer M. Keough, # <u>2</u> [Proposed] Order)(Hausfeld, Michael) (Entered: 01/10/2022)
01/11/2022	2886		TEXT ORDER – This matter is before the court on the Motion from Subscriber Plaintiffs and Settling Defendants for Supplemental Notice to Self–Funded Accounts. <u>2885</u> . On or before January 18, 2022 , any opposition to the Motion SHALL be filed. Any reply SHALL be filed on or before January 25, 2022 . Signed by Judge R David Proctor on 1/11/2022. (KAM) (Entered: 01/11/2022)
01/13/2022	<u>2887</u>		RESPONSE in Opposition re <u>2885</u> MOTION for Supplemental Notice to Self–Funded Accounts <i>Alaska Air Movants' Objection to Motion for Supplemental Notice to Self–Funded Accounts</i> filed by National Account Objectors. (Attachments: # <u>1</u> Exhibit A)(Presley, Benjamin) (Entered: 01/13/2022)
01/18/2022	<u>2888</u>		

		RESPONSE to Motion re <u>2885</u> MOTION for Supplemental Notice to Self-Funded Accounts filed by Home Depot U.S.A., Inc., (Lowrey, Frank) (Entered: 01/18/2022)
01/18/2022	<u>2889</u>	RESPONSE in Opposition re <u>2885</u> MOTION for Supplemental Notice to Self-Funded Accounts <i>Objection to Motion for Supplemental Notice to Self-Funded Accounts</i> filed by General Motors. (Wancjer, Hershel) (Entered: 01/18/2022)
01/18/2022	<u>2890</u>	Opposition to re <u>2885</u> filed by Employee Services Inc, ServisFirst Bancshares Inc, Topographic. Inc.. (Richie, John) (Entered: 01/18/2022)
01/21/2022	<u>2891</u>	MOTION to Withdraw as Attorney by Blue Cross Blue Shield of Arizona. (Sooy, Kathleen) (Entered: 01/21/2022)
01/24/2022	<u>2892</u>	TEXT ORDER This matter is before the court on the Motion to Withdraw filed by Crowell & Moring LLP counsel. <u>2891</u> The Motion <u>2891</u> is GRANTED . The Clerk of Court is directed to terminate attorneys Kathleen Taylor Sooy, Tracy A. Roman, April N. Ross, Sarah M. Gilbert, Honor R. Costello, and Michael W. Lieberman as counsel for BCBS-AZ in this MDL, as well as in the underlying cases in which they have appeared, which are listed in the Motion. <u>2891</u> Attorneys from Cravath, Swaine & Moore LLP will continue to represent BCBS-AZ. Signed by Judge R David Proctor on 1/24/2022. (KAM) (Entered: 01/24/2022)
01/24/2022	<u>2893</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from December 1, 2021 through December 31, 2021 in this matter relating solely to services provided to the Plaintiffs, and totaling \$64,000.00. Signed by Judge R David Proctor on 1/24/2022. (KAM) (Entered: 01/24/2022)
01/25/2022	<u>2894</u>	REPLY Brief filed by Plaintiff Plaintiffs' Counsel re: <u>2885</u> MOTION for Supplemental Notice to Self-Funded Accounts filed by Plaintiffs' Counsel. (Hausfeld, Michael) (Entered: 01/25/2022)
01/25/2022	<u>2895</u>	RESPONSE to re <u>2888</u> <i>Defendants' Response to Objector Home Depot's Submission Regarding Subscribers' Motion for Supplemental Notice to Self-Funded Accounts</i> filed by Defendants' Counsel. (Laytin, Daniel) (Entered: 01/25/2022)
01/27/2022	<u>2896</u>	STIPULATION <i>Joint Stipulation Regarding the Proposed Supplemental Notice to Self-Funded Accounts</i> by Plaintiffs' Counsel. filed by Plaintiffs' Counsel (Hausfeld, Michael) (Entered: 01/27/2022)
02/04/2022	<u>2897</u>	MEMORANDUM OPINION AND ORDER GRANTING MOTION FOR SUPPLEMENTAL NOTICE TO SELF-FUNDED ACCOUNTS – Subscriber Plaintiffs Motion for Supplemental Notice to Self-Funded Accounts (Doc. # 2885) is GRANTED as set out within this order; the court WILL NOT resolve Subscriber Plaintiffs' motion for final approval until after supplemental notice is complete, and the renewed opt-out period for Self-Funded Entity Accounts is closed. The court RESERVES the question of whether subsequent briefing or reports are necessary after supplemental notice occurs; The previously submitted objections relating to the inability to opt out of the Second Blue Bid injunctive relief are OVERRULED . Signed by Judge R David Proctor on 2/4/2022. (KAM) (Entered: 02/04/2022)

02/11/2022	<u>2898</u>		MOTION to Withdraw by Blue Cross Blue Shield of Arizona. (Kappel, Brian) (Entered: 02/11/2022)
02/11/2022	2899		TEXT ORDER This matter is before the court on the Motion to Withdraw filed by John M. Johnson and Brian P. Kappel of Lightfoot Franklin & White, LLC. <u>2898</u> The Motion <u>2898</u> is GRANTED . The Clerk of Court is directed to terminate attorneys John M. Johnson and Brian P. Kappel as counsel for BCBS-AZ in this MDL, as well as in the underlying cases in which they have appeared, which are listed in the Motion. <u>2898</u> Attorneys from Cravath, Swaine & Moore LLP will continue to represent BCBS-AZ. Signed by Judge R David Proctor on 2/11/2022. (KAM) (Entered: 02/11/2022)
02/15/2022	<u>2900</u>		ORDER REGARDING PROVIDER ECONOMICS DAY II – The Provider Track of this case is SET for a status conference at 9:00 a.m. on Tuesday, March 1, 2022 in New York, New York at the offices of Cravath, Swaine & Moore LLP, 825 8th Avenue, New York, NY 10019; The Blues shall provide the court with their pre-Provider Economics Day submission on or before February 23, 2022 . Similarly, Provider Plaintiffs shall provide the court with their pre-Provider Economics Day submissions on or before February 23, 2022 . Signed by Judge R David Proctor on 2/15/2022. (KAM) (Entered: 02/15/2022)
02/16/2022	<u>2901</u>		MEMORANDUM OPINION AND ORDER – <u>2730</u> Provider Plaintiffs Motion for Partial Summary Judgment Regarding the Standard of Review in Light of Amex is GRANTED ; The Amex case does not affect the standard of review in this case. Signed by Judge R David Proctor on 2/16/2022. (KAM) (Entered: 02/16/2022)
02/16/2022	<u>2902</u>		MEMORANDUM OPINION. Signed by Judge R David Proctor on 2/16/2022. (KAM) (Entered: 02/16/2022)
02/16/2022	<u>2903</u>		ORDER OF DISMISSAL in accordance with the accompanying Memorandum Opinion, <u>2753</u> Certain Defendants' Motion for Partial Summary Judgment is GRANTED ; Final judgment SHALL be entered in favor of Defendants on the claims asserted by Plaintiffs Charles H. Clark III, M.D., Robert W. Nesbitt, M.D., Luis R. Pernia, M.D., Corey Musselman, M.D., Julie McCormick, M.D., L.L.C., Harbir Makin, M.D., Hillside Family Medicine, LLC, Ear, Nose & Throat Consultants and Hearing Services, P.L.C., and Kathleen Cain, M.D. These named Plaintiffs claims are DISMISSED WITH PREJUDICE .. Signed by Judge R David Proctor on 2/16/2022. (KAM) (Entered: 02/16/2022)
02/23/2022	<u>2904</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from January 1, 2022 through January 31, 2022 in this matter relating solely to services provided to the Plaintiffs, and totaling \$45,000.00. Signed by Judge R David Proctor on 2/23/2022. (KAM) (Entered: 02/23/2022)
03/01/2022			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 3/1/2022. (Court Reporter Risa Entrekin. TRANSCRIPT WILL BE FOR COURT USE ONLY; NOT PUBLIC DISCLOSURE) (KLL) (Entered: 03/01/2022)
03/11/2022	<u>2905</u>		

		NOTICE by Blue Cross Blue Shield Michigan / <i>Notice of withdrawal of attorney Edmund Saw for defendant Blue Cross Blue Shield of Michigan</i> (Stenerson, Todd) (Entered: 03/11/2022)
03/11/2022	<u>2906</u>	TEXT ORDER – This matter is before the court on the Notice of Withdrawal filed by attorney Edmund Saw. <u>2905</u> Defendant Blue Cross Blue Shield of Michigan will continue to be represented by other attorneys at the law firm of Shearman & Sterling LLP. Therefore, the Notice/Motion <u>2905</u> is GRANTED. The Clerk of Court is directed to terminate attorney Saw from representing Blue Cross Blue Shield of Michigan in the MDL and in any underlying member cases. Signed by Judge R David Proctor on 3/11/2022. (KEK) (Entered: 03/11/2022)
03/22/2022	<u>2907</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from February 1, 2022 through February 28, 2022 in this matter relating solely to services provided to the Plaintiffs, and totaling \$53,000.00. Signed by Judge R David Proctor on 3/22/2022. (KAM) (Entered: 03/22/2022)
03/23/2022	<u>2908</u>	ORDER This case is SET for a status conference at 9:30 a.m. on Monday, May 16, 2022 before Judge R David Proctor. The Special Master will provide Zoom and/or telephone access information for those unable to attend in person. On or before Wednesday, May 11, 2022 , the parties SHALL submit a joint report containing a proposed agenda of items the parties wish to be addressed during the status conference. Signed by Judge R David Proctor on 3/23/2022. (KAM) (Entered: 03/23/2022)
04/15/2022	<u>2909</u>	NOTICE by Plaintiffs' Counsel <i>Notice of Withdrawal of Attorney for Subscriber Plaintiffs</i> (Francis, Kimberly) (Entered: 04/15/2022)
04/18/2022	2910	TEXT ORDER – This matter is before the court on the Notice of Withdrawal filed by attorney Kimberly Francis. <u>2902</u> In light of the Notice <u>2902</u> the Clerk of the Court is DIRECTED to TERMINATE attorney Francis. Signed by Judge R David Proctor on 4/18/2022. (KAM) (Entered: 04/18/2022)
04/21/2022	<u>2911</u>	NOTICE of Appearance by Rebecca Diane Gilliland on behalf of Plaintiffs' Counsel (Gilliland, Rebecca) (Entered: 04/21/2022)
04/21/2022	<u>2912</u>	NOTICE of Appearance by Jessica Machel Haynes on behalf of Plaintiffs' Counsel (Haynes, Jessica) (Entered: 04/21/2022)
04/25/2022	<u>2913</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT. Signed by Judge R David Proctor on 4/25/2022. (KEK) (Entered: 04/25/2022)
05/10/2022	<u>2914</u>	NOTICE <i>Certifying Compliance with the Court's February 4, 2022 Order Regarding Supplemental Notice</i> by Plaintiffs' Counsel. (Attachments: # <u>1</u> Declaration of Jennifer M. Keough regarding Supplemental Notice Plan and Settlement Administration)(Hausfeld, Michael) Modified on 5/12/2022–correcting docket (KAM). (Entered: 05/10/2022)
05/11/2022	<u>2915</u>	MOTION to Withdraw as Attorney – <i>ALICIA L. SHELTON</i> by Plaintiffs' Counsel. (Smith, Cyril) (Entered: 05/11/2022)
05/11/2022	<u>2916</u>	

			STATUS REPORT <i>Report Regarding Proposed Agenda for Status Conference on May 16, 2022, at 9:30 a.m. (Central)</i> by Special Master. filed by Special Master (Gentle, Edgar) (Entered: 05/11/2022)
05/11/2022	2917		TEXT ORDER This matter is before the court on the Withdrawal of Appearance filed by attorney Alicia L. Shelton. <u>2915</u> The Withdrawal <u>2915</u> is construed as a motion, and is GRANTED . The Clerk of the Court is directed to terminate attorney Shelton. Signed by Judge R David Proctor on 5/11/2022. (KAM) (Entered: 05/11/2022)
05/13/2022	<u>2918</u>		NOTICE by Plaintiffs' Counsel re <u>2729</u> SEALED MOTION, <u>2727</u> MOTION for Summary Judgment (" <i>Defendants' Motion Regarding The Antitrust Standard Of Review Applicable To Provider Plaintiffs' Section 1 Claims Pursuant To Federal Rule Of Civil Procedure 56</i> ") of Supplemental Authority Regarding the Parties' Motions for Partial Summary Judgment on the Standard of Review (Provider Plaintiffs) (Whatley, Joe) (Entered: 05/13/2022)
05/13/2022	<u>2919</u>		Unopposed MOTION to Amend/Correct <i>the Subscriber Track Notice Website</i> by Plaintiffs' Counsel. (Hausfeld, Michael) (Entered: 05/13/2022)
05/16/2022			Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 5/16/2022. (Court Reporter Pamela Weyant.) (KLL) (Entered: 05/16/2022)
05/16/2022	2920		TEXT ORDER – This matter is before the court on Subscriber Settlement Class Counsels Unopposed Motion to Amend the Subscriber Track Notice Website. <u>2919</u> The Motion seeks to update Frequently Asked Question No. 25 to address the timing of a request for a Second Blue Bid. The Motion <u>2919</u> is GRANTED . Settlement Class Counsel SHALL cause the settlement website to be updated to reflect the proposed amended FAQ 25. Signed by Judge R David Proctor on 5/16/2022. (KAM) (Entered: 05/16/2022)
05/23/2022	<u>2921</u>		Transcript of Proceedings held on May 16, 2022, before Judge R. David Proctor. Court Reporter/Transcriber Pamela Weyant. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. (A copy can be obtained at http://www.alnd.uscourts.gov/local/court%20forms/transcripts/Transcript%20Redaction%20Policy.pdf) See Transcript Redaction Policy Redaction Request due 6/13/2022. Redacted Transcript Deadline set for 6/23/2022. Release of Transcript Restriction set for 8/21/2022. (KAM) (Entered: 05/23/2022)
05/24/2022	<u>2922</u>		ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from April 1, 2022 through April 30, 2022 in this matter relating solely to services provided to the Plaintiffs, and totaling \$20,000.00. Signed by Judge R David Proctor on 5/24/2022. (KAM) (Entered: 05/24/2022)
05/31/2022	<u>2923</u>		

		RESPONSE to re <u>2918</u> (" <i>Defendants' Response to Provider Plaintiffs' Notice of Supplemental Authority Regarding the Parties' Motions for Partial Summary Judgment on the Standard of Review</i> ") filed by Defendants' Counsel. (Chesler, Evan) (Entered: 05/31/2022)
06/06/2022	<u>2924</u>	REPLY to re <u>2923</u> <i>Provider Plaintiffs' Reply to Defendants' Response to Providers' Notice of Supplemental Authority Regarding the Parties' Motions for Partial Summary Judgment on the Standard of Review</i> filed by Plaintiffs' Counsel. (Whatley, Joe) (Entered: 06/06/2022)
06/16/2022	<u>2925</u>	NOTICE by Plaintiffs' Counsel <i>Provider Plaintiffs' Submission on Remand</i> (Attachments: # <u>1</u> Exhibit A – June 7 Email)(Whatley, Joe) (Entered: 06/16/2022)
06/16/2022	<u>2926</u>	NOTICE by Defendants' Counsel (" <i>Defendants' Submission on Issues to be Resolved Prior to Remand</i> "). (Chesler, Evan) (Entered: 06/16/2022)
06/23/2022	<u>2927</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from May 1, 2022 through May 31, 2022 in this matter relating solely to services provided to the Plaintiffs, and totaling \$20,000.00. Signed by Judge R David Proctor on 6/23/2022. (KAM) (Entered: 06/23/2022)
06/24/2022	<u>2928</u>	AFFIDAVIT in Support re <u>2610</u> MOTION for Settlement <i>Subscriber Plaintiffs Motion for Preliminary Approval of Proposed Class Settlement Declaration of Jennifer M. Keough Regarding Exclusion Requests</i> filed by Plaintiffs' Counsel. (Hausfeld, Michael) (Entered: 06/24/2022)
07/15/2022	<u>2929</u>	NOTICE of Appearance by Michael Gulisano on behalf of John Hoover (Gulisano, Michael) (Entered: 07/15/2022)
07/25/2022	<u>2930</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from June 1, 2022 through June 30, 2022 in this matter relating solely to services provided to the Plaintiffs, and totaling \$19,000.00. Signed by Judge R David Proctor on 7/25/2022. (KAM) (Entered: 07/25/2022)
08/09/2022	<u>2931</u>	FINAL ORDER AND JUDGMENT GRANTING APPROVAL OF SUBSCRIBER CLASS ACTION SETTLEMENT AND APPOINTING SETTLEMENT ADMINISTRATOR – for the reasons set out in this order; Subscriber Plaintiffs' Motion for Final Approval of Class Settlement and Appointment of Settlement Administrator <u>2812</u> is GRANTED ; Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, the court APPOINTS Hausfeld, LLP and Boies Schiller Flexner, LLP as Settlement Class Counsel for the Settlement Classes and Burns Charest, LLP as Self-Funded Sub-Class Settlement Counsel for the Self-Funded Sub-Class; the court hereby GRANTS final approval of the Settlement Agreement in all respects (including, without limitation: the Settlement Fund amount; the releases; the Injunctive Relief; and the dismissal with prejudice of the claims asserted against Settling Defendants in the Action), and finds that the Settlement Agreement is, in all respects, fair, reasonable, and adequate to the Settlement Classes; Except as to any claim of those Rule 23(b)(3) Opt-Outs identified in Document # 2928 who have validly and timely requested exclusion from the Damages Class and the divisible Second Blue Bid relief, the Action and all claims contained therein, as well as all of the Released Claims against any of

		<p>the Releasees by Releasors, are each hereby DISMISSED WITH PREJUDICE. This Final Order and Judgment SHALL NOT affect, in any way, the right of Releasors to pursue claims, if any, outside the scope of the Released Claims; The court RESERVES the issue of the makeup of the Monitoring Committee established in the Settlement. The court will appoint the members of the Monitoring Committee by separate order; The Subscriber Actions are hereby DISMISSED WITH PREJUDICE and, except as provided for in the Settlement Agreement and any order of this court granting fee, expense, or service awards as contemplated under the Settlement Agreement, without costs. The Honorable Irma E. Gonzalez (Ret.) is APPOINTED as the Settlement Administrator, with responsibility limited to assisting in the implementation of the Plan of Distribution and the resolution of any disputes between Settlement Class Members and the Claims Administrator pursuant to the Plan of Distribution, as set forth in the Settlement Agreement. Signed by Judge R David Proctor on 8/9/2022. (KAM) (Entered: 08/09/2022)</p>
08/09/2022	<u>2932</u>	<p>ORDER AWARDING SUBSCRIBER PLAINTIFFS COUNSEL ATTORNEYS FEES AND EXPENSES <u>2733</u> Motion for Attorney Fees is GRANTED; Subscriber Counsel are hereby AWARDED attorneys fees in the amount of \$626,583,372.10, representing 23.47% of the Settlement Fund. The court FINDS this amount to be fair and reasonable. Subscriber Counsel are FURTHER AWARDED \$40,916,627.90 in payment of litigation costs and expenses to be paid from the Settlement Fund, which sum the court finds to be fair, adequately documented, reasonable, and necessary to the representation of the Settlement Class; Any appeal or any challenge affecting this courts approval regarding any attorneys fees and expense application SHALL in no way disturb or affect the finality of the Judgment. Signed by Judge R David Proctor on 8/9/2022. (KAM) (Entered: 08/09/2022)</p>
08/09/2022	<u>2933</u>	<p>MEMORANDUM OPINION AND ORDER ON DEFENDANTS MOTION REGARDING THE ANTITRUST STANDARD OF REVIEW APPLICABLE TO PROVIDER PLAINTIFFS SECTION 1 CLAIMS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 56 – for all the reasons set forth in this order, Defendants' Motion Regarding the Anitrust Standard of Review Applicable to Provider Plaintiffs' Section 1 Claims <u>2722</u> is GRANTED IN PART AND DENIED IN PART; The Motion is GRANTED to the extent that the court concludes that ESAs, viewed alone (i.e., divorced from NBE), should not immediately be assumed to be anticompetitive, 1–800 Contacts, 1 F.4th at 116, and thus are not naked restraint[s] of trade with no purpose except stifling competition. Levine v. Cent. Fla. Med. Affiliates, Inc., 72 F.3d 1538, 1550 (11th Cir. 1996). Therefore, for the period of time following the elimination of the NBE rule (after April 2021), the court concludes that it must apply the rule of reason analysis to Providers Market Allocation Conspiracy claims. In all other respects, the Motion is DENIED. Signed by Judge R David Proctor on 8/9/2022. (KAM) (Entered: 08/09/2022)</p>
08/09/2022	<u>2934</u>	<p>MEMORANDUM OPINION AND ORDER ON PROVIDER PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT ON THE STANDARD OF REVIEW FOR THEIR GROUP BOYCOTT CLAIMS – This matter is before the court on Provider Plaintiffs Motion for Partial Summary Judgment Regarding the Standard of Review for their Group</p>

		Boycott Claims <u>2729</u> ; the court determines that Providers alleged Boycott Conspiracy is not a naked restraint of trade with no purpose except stifling competition. Levine, 72 F.3d at 1550. Therefore, the court reaffirms its conclusion that it must apply the rule of reason analysis to Providers Boycott Conspiracy claim. See In re Blue Cross Blue Shield Antitrust Litig., 308 F. Supp. 3d at 1277. Signed by Judge R David Proctor on 8/9/2022. (KAM) (Entered: 08/09/2022)
08/15/2022	<u>2935</u>	MOTION to Withdraw as Attorney by HealthNow New York, Inc. d/b/a BlueCross BlueShield of Western New York and BlueShield of Northeastern New York. (Sooy, Kathleen) (Entered: 08/15/2022)
08/16/2022	2936	TEXT ORDER – This matter is before the court on the Motion to Withdraw filed by certain attorneys from Crowell & Moring LLP from representing Highmark Western and Northeastern New York Inc., formerly known and sued as HealthNow New York Inc. d/b/a BlueCross BlueShield of Western New York and BlueShield of Northeastern New York. <u>2935</u> The Motion <u>2935</u> is GRANTED . The Clerk of the Court is DIRECTED to TERMINATE attorneys Kathleen Taylor Sooy, Tracy A. Roman, April N. Ross, Michael W. Lieberman, Sarah M. Gilbert, and Honor R. Costello from representing these Defendants. The Clerk of Court is FURTHER DIRECTED to TERMINATE the listed lawyers from representing these Defendants in the underlying actions listed in the Motion. Signed by Judge R David Proctor on 8/16/2022. (KAM) (Entered: 08/16/2022)
08/17/2022	<u>2937</u>	ORDER This case is SET for a Status Conference at 9:00 a.m. on Monday, October 3, 2022 in Courtroom 8 of the Hugo L Black US Courthouse, Birmingham, AL before Judge R David Proctor. The court anticipates that it will conduct caucuses following the status conference. The court, via the Special Master, will provide remote access instructions for those unable to attend in person. On or before Wednesday, September 28, 2022 , the parties SHALL submit a joint report containing a proposed agenda of items the parties which to be addressed during the status conference. Signed by Judge R David Proctor on 8/17/2022. (KAM) (Entered: 08/17/2022)
08/22/2022	<u>2938</u>	ORDER APPROVING SPECIAL MASTER INVOICE FOR PAYMENT for services rendered and expenses incurred from July 1, 2022 through July 31, 2022 in this matter relating solely to services provided to the Plaintiffs, and totaling \$30,000.00. Signed by Judge R David Proctor on 8/22/2022. (KAM) (Entered: 08/22/2022)
09/07/2022	<u>2939</u>	AMENDMENT TO FINAL ORDER AND JUDGMENT GRANTING APPROVAL OF SUBSCRIBER CLASS ACTION SETTLEMENT RELATING ONLY TO THE RELEASES PROVIDED BY OPT-OUTS – on the court's own motion, pursuant to FRCP 60(a) and with the settling parties' consent, the Final Order and Judgment Granting Approval of Subscriber Class Action Settlement is AMENDED, as as set out within this order, with regard to the releases provided by Opt-Outs under the Settlement. Signed by Judge R David Proctor on 9/7/2022. (KAM) (Entered: 09/07/2022)
09/07/2022	<u>2940</u>	NOTICE OF APPEAL by Employee Services Inc, Topographic. Inc.. Filing fee \$ 505, receipt number AALNDC-4164486. NDAL rec# B-1015 (Richie, John) Modified on 9/7/2022 (KAM). (Entered: 09/07/2022)

09/07/2022	<u>2943</u>		NOTICE OF APPEAL by Objectors Jennifer Cochran and Aaron Craker as to <u>2931</u> Order, <u>2932</u> Order on Motion for Attorney Fees,, (KAM) (Entered: 09/09/2022)
09/08/2022	<u>2941</u>		MOTION to Amend/Correct <u>2939</u> Order, by Home Depot U.S.A., Inc.,. (Attachments: # <u>1</u> Affidavit Declaration of Frank Lowrey)(Lowrey, Frank) (Entered: 09/08/2022)
09/08/2022	<u>2942</u>		NOTICE OF APPEAL as to <u>2939</u> Order, <u>2931</u> Order,,,,,,, by Home Depot U.S.A., Inc.,. Filing fee \$ 505, receipt number BALNDC-4165628. (Lowrey, Frank) (Entered: 09/08/2022)
09/08/2022	<u>2944</u>		NOTICE OF APPEAL by class member David G. Behenna as to <u>2931</u> Order <u>2932</u> Order on Motion for Attorney Fees,,. (KAM) (Entered: 09/09/2022)
09/09/2022	2945		TEXT ORDER – This matter is before the court on the Motion to Amend Judgment filed by Opt-Out Home Depot U.S.A., Inc. and related parties <u>2941</u> . The Settling Parties and any other interested party SHALL respond to the Motion <u>2941</u> on or before September 16, 2022 . Signed by Judge R David Proctor on 9/9/2022. (KAM) (Entered: 09/09/2022)
09/09/2022	<u>2946</u>		Transmittal Letter to the Eleventh Circuit Court of Appeals for <u>2940</u> appeal by Self-Funded Subclass Objectors Topographic. Inc. (KAM) (Entered: 09/09/2022)

2022 Sep-09 PM 02:17
U.S. DISTRICT COURT
N.D. OF ALABAMA

UNITED STATES DISTRICT COURT
Northern District of Alabama
Office of the Clerk
Hugo L. Black United States Courthouse
Room 140, 1729 5th Avenue North
Birmingham, Alabama 35203
(205) 278-1700

Clerk of Court
U.S. Court of Appeals for the Federal Circuit
717 Madison Place, NW
Washington, DC 20439

U.S.D.C. No :=2:13-cv-20000-RDP
U.S.C.A. No. New Appeal
IN RE: In Re: Blue Cross Blue Shield Antitrust Litigation MDL

Enclosed are documents regarding an appeal in this matter. Please acknowledge receipt on the enclosed copy of this transmittal.

- ☒ Certified copy of Notice of Appeal, Docket Entries and Judgment/Order and Opinion appealed from enclosed.
- ☐ Certified record, supplemental record on appeal consisting of: [Click here to enter text.](#) volume(s) of pleadings, etc.;
[Click here to enter text.](#) volume(s) of transcripts;
- ☒ First Notice of Appeal? Yes Dates of other Notices:
- ☐ The following materials **SEALED** in this court (order enclosed) consisting of: [Click here to enter text.](#)
- ☐ Original papers (court file) and certified copy of docket entries per USCA request.
- ☐ There was no hearing from which a transcript could be made.
- ☐ Copy of CJA Form 20 or District Court order appointing counsel.
- ☒ The appellant docket fee has been paid. **Yes** Date Paid: 9/7/2022
- ☐ The appellant has been leave to appeal in forma pauperis and request for certificate of appealability (order enclosed).
- ☒ The Judge/Magistrate Judge appealed from is: R. David Proctor
- ☐ The Court Reporter is:
- ☐ This is a **BANKRUPTCY APPEAL**. Please send notice of final order and/or opinion to: Joe Bulgarella, Clerk, U.S. Bankruptcy Court, 1800 5th Avenue North, Birmingham, Alabama 35203.
- ☐ This is a **DEATH PENALTY** appeal.
- ☐ Appellant having failed to cure procedural defects re: appeal fee, the appeal is due to be DISMISSED.
- ☐ Other:

xc: Counsel

Sharon Harris, Clerk

By K. Miller
Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**IN RE: BLUE CROSS BLUE SHIELD
ANTITRUST LITIGATION (MDL No.
2406)**

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**Master File No. 2:13-CV-20000-
RDP**

NOTICE OF APPEAL

Self-Funded Subclass Objectors Topographic, Inc. and Employee Services, Inc. hereby give notice of their appeal to the United States Court of Appeals for the Eleventh Circuit from the final judgment in this action entered by the District Court on August 9, 2022 ([Doc. 2931](#)), and amended on September 7, 2022 ([Doc. 2939](#)), along with all interlocutory rulings leading up to the final judgment and all subsequent orders premised thereon, including but not limited to the order awarding fees and costs to class counsel ([Doc. 2932](#)).

Respectfully submitted this 7th day of September, 2022.

s/J. Thomas Richie

One of the Attorneys for Objectors

OF COUNSEL

Michael R. Pennington

J. Thomas Richie

Emily M. Ruzic

BRADLEY ARANT BOULT CUMMINGS LLP

1819 Fifth Avenue North

Birmingham, AL 35203-2119

Telephone: (205) 521-8000

Facsimile: (205) 521-8800

mpennington@bradley.com

trichie@bradley.com

eruzic@bradley.com

Scott Burnett Smith

BRADLEY ARANT BOULT CUMMINGS LLP

200 Clinton Avenue West, Suite 900

Huntsville, AL 35801-4900

Telephone: (256) 517-5100

Facsimile: (256) 517-5200

ssmith@bradley.com

Richard D. Nix

Henry D. Hoss

M. Richard Mullins

Mark D. Spencer

McAFEE & TAFT A PROFESSIONAL CORPORATION

Eighth Floor, Two Leadership Square

211 N. Robinson

Oklahoma City, OK 73102

Telephone: (405) 235-9621

Facsimile: (405) 235-0439

richard.nix@mcafeetaft.com

henry.hoss@mcafeetaft.com

richard.mullins@mcafeetaft.com

m Spencer@mcafeetaft.com

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2022, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ J. Thomas Richie

J. Thomas Richie

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION (MDL NO.: 2406)	} } } }	Master File No.: 2:13-CV-20000-RDP
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**FINAL ORDER AND JUDGMENT GRANTING APPROVAL OF SUBSCRIBER CLASS
ACTION SETTLEMENT AND APPOINTING SETTLEMENT ADMINISTRATOR**

This matter is before the court on Subscriber Plaintiffs’¹ Motion for Final Approval of Class Settlement and Appointment of Settlement Administrator. (Doc. # 2812). The Motion has been thoroughly briefed by the parties and certain objectors, both before and after a lengthy fairness hearing. The motion is ripe for decision.

I. Relevant Procedural History

This litigation began more than nine years ago and involves the consolidation of a number of actions filed by Subscriber Plaintiffs against the Blue Cross and Blue Shield Association (“BCBSA”) and its Member Plans (the “Member Plans” or “Blue Plans”) (collectively, “Defendants” or “Blues”). Subscriber Plaintiffs allege, among other things, that Defendants

¹ Subscriber Plaintiffs are Galactic Funk Touring, Inc.; American Electric Motor Services, Inc.; CB Roofing, LLC; Pearce, Bevell, Leesburg, Moore, P.C.; Pettus Plumbing & Piping, Inc.; Consumer Financial Education Foundation of America, Inc.; Fort McClellan Credit Union; Rolison Trucking Co., LLC; Conrad Watson Air Conditioning, Inc.; Linda Mills; Frank Curtis; Jennifer Ray Davidson; Pete Moore Chevrolet, Inc.; Jewelers Trade Shop; Saccoccio & Lopez; Angel Foster (fka Angel Vardas); Monika Bhuta; Michael E. Stark; G&S Trailer Repair Inc.; Chelsea L. Horner; Montis, Inc.; Renee E. Allie; John G. Thompson; Avantgarde Aviation, Inc.; Hess, Hess & Daniel, P.C.; Betsy Jane Belzer; Bartlett, Inc., d/b/a Energy Savers; Matthew Allan Boyd; Gaston CPA Firm; Rochelle and Brian McGill; Sadler Electric; Jeffrey S. Garner; Amy MacRae; Vaughan Pools, Inc.; Casa Blanca, LLC; Jennifer D. Childress; Clint Johnston; Janeen Goodin; Marla S. Sharp; Erik Barstow; GC/AAA Fences, Inc.; Keith O. Cerven; Teresa M. Cerven; Sirocco, Inc.; Kathryn Scheller; Iron Gate Technology, Inc.; Nancy Thomas; Pioneer Farm Equipment, Inc.; Scott A. Morris; Tony Forsythe; Joel Jameson; Ross Hill; Angie Hill; Kevin Bradberry; Christy Bradberry; Tom Aschenbrenner; Juanita Aschenbrenner; Free State Growers, Inc.; Tom A. Goodman; Jason Goodman; Comet Capital, LLC; Barr, Sternberg, Moss, Lawrence, Silver & Munson, P.C.; Mark Krieger; Deborah Piercy; and Lisa Tomazzoli. This memorandum is also submitted on behalf of Self-Funded Plaintiff Hibbett Sports, Inc.

violated Sections 1, 2, and 3 of the Sherman Antitrust Act, 15 U.S.C. §§ 1-3, by entering into an unlawful agreement that restrained competition between them in the markets for selling health insurance and the administration of Commercial Health Benefit Products in the United States and its territories. Subscriber Plaintiffs contend that the Blues: (1) allocated geographic territories; (2) limited the Member Plans from competing against each other, even when not using a Blue name, by mandating a minimum percentage of business that each Member Plan must do under that name, both inside and outside each Member Plan's territory; (3) restricted the right of any Member Plan to be sold to a company that is not a member of BCBSA; and (4) further agreed to other ancillary restraints on competition. (Doc. # 1082). Subscriber Plaintiffs seek actual damages, treble damages, and injunctive relief to prevent future loss or damage resulting from Defendants' conduct. (*Id.*).

Over the past nine years, this multidistrict litigation has been extraordinarily complex, protracted, and hard-fought. (Doc. # 2625-1 at 3-8). Defendants filed, and the court addressed, over a dozen motions to dismiss. The parties spent substantial time on the production of terabytes of structured health insurance data from thirty-seven separate Defendants, many with different data management systems. (Doc. # 2610-6 ¶ 14). With the invaluable assistance of Magistrate Judge T. Michael Putnam (Ret.), the parties briefed and the court ruled on over 150 discovery motions, which led to 91 discovery orders. Subscriber Plaintiffs obtained and analyzed over 15 million pages of documents, conducted over 120 depositions of Defendants and third-party witnesses, and defended over 20 depositions of class representatives and various experts. (*Id.* ¶¶ 14-15). Subscriber Plaintiffs reviewed and challenged hundreds of thousands of privilege log entries, resulting in 45 Reports & Recommendations by Privilege Special Master R. Bernard Harwood, Jr. and the full or partial de-designation of over 450,000 documents. (*Id.* ¶ 16).

The parties briefed several rounds of summary judgment motions. (Docs. # 1348; 1350; 1353; 1434). Subscriber Plaintiffs prevailed on their motion seeking application of a *per se* standard of review to Defendants’ alleged “aggregation of competitive restraints.” *In re Blue Cross Blue Shield Antitrust Litig.*, 308 F. Supp. 3d 1241, 1267 (N.D. Ala. 2018). Although this court certified its standard of review order under 28 U.S.C. § 1292(b), the Eleventh Circuit declined to hear the appeal. *In re Blue Cross Blue Shield Antitrust Litig.*, 2018 WL 7152887 (11th Cir. Dec. 12, 2018). More recently, the parties briefed motions for class certification of a nationwide injunctive relief class and an Alabama damages class, each side supporting its claims with expert reports totaling hundreds of pages respectively. (Docs. # 2407-2416; 2421; 2422; 2453-2457).

After nearly three years of litigation, the parties first began settlement discussions in 2015. The parties initially hired a mediator and participated in several mediation sessions from 2015 through 2017. Those discussions involved counsel for the Subscriber Plaintiffs, Provider Plaintiffs, Defendants, and Defendants’ insurers. (Doc. # 2610-6 ¶¶ 28-29). In November 2017, after the mediation sessions in 2015, 2016, and 2017 failed to gain traction, Special Master Edgar C. Gentle assisted the parties in their settlement discussions. Over the course of the next two years, there were scores of additional mediation sessions. The negotiations were protracted, complicated, and challenging. Ultimately the parties (with Gentle’s able assistance) reached an agreement on proposed structural relief. That relief is historic and substantial. After agreeing to structural relief, the parties also were required to address financial relief. They continued their work and agreed on a common fund for the monetary benefit of the class. Only after the parties agreed on structural relief and the common fund did they begin negotiations about attorneys’ fees and costs. (Doc. # 2610-6 ¶ 30).

Three years ago, during their negotiations in July 2019, Subscriber Plaintiffs and the Blues recognized the need for a sub-class of Self-Funded Accounts and their employees (together, the “Self-Funded Sub-Class”), and Subscriber Plaintiffs coordinated the recruitment of separate class counsel for that sub-class and a class representative. (*Id.* ¶ 31).

Self-Funded Sub-Class Counsel asked for and received access to the discovery record in the litigation, along with relevant briefing on class certification and summary judgment. They then engaged their own independent experts to analyze possible damages claims on behalf of the Self-Funded Sub-Class. In September 2019, Self-Funded Sub-Class Counsel began attending mediation sessions. In November 2019, an agreement was reached on a full term sheet. Over the next several months, the parties worked closely with Gentle to reduce the term sheet to a written settlement agreement. This process involved numerous additional conferences and intense negotiation sessions between the parties. (*Id.* ¶ 32).

Subscriber Plaintiffs and Self-Funded Sub-Class Counsel then engaged Kenneth Feinberg,² a highly respected mediator who is preeminent in the field of settlement allocations, to serve as Allocation Mediator. Feinberg was tasked with facilitating the determination of an appropriate allocation of the Net Settlement Fund between fully insured Class Members and the Self-Funded Sub-Class. After presentation of the evidence and an in-person mediation, counsel for the parties, with the guidance of Gentle and Feinberg, agreed that an equitable allocation would distribute 93.5% of the Net Settlement Fund among fully insured Class Members and 6.5% of the Net Settlement Fund among the Self-Funded Sub-Class. Feinberg reviewed this proposal and determined it to be reasonable in his professional judgment. (*Id.* ¶ 33).

² Feinberg has worked on a number of complex matters, including the September 11th Victim Compensation Fund, the Troubled Asset Relief Program, the BP Deepwater Horizon Disaster Victim Compensation Fund, and the Boeing 737 MAX victim fund to name a few.

In August 2020, Subscribers’ Counsel and Self-Funded Sub-Class Counsel engaged experts Darrell Chodorow and the Brattle Group to assist with designing a Plan of Distribution. The parties relied on economic analysis conducted by Chodorow and the Brattle Group, along with an analysis of the data available from Settling Defendants. With that input, they sought to design a reasonable and efficient Plan of Distribution that would treat members of the Damages Class equitably and would not overly burden claimants. (*Id.* ¶ 34). Feinberg was again engaged to review the proposed Plan of Distribution. He concluded that the proposed Plan of Distribution was reasonable. (*Id.* ¶ 35).

On October 16, 2020, the Subscriber Class Representatives, the Self-Funded Sub-Class Representative, and Settling Defendants entered into a Settlement Agreement, which, if approved, would resolve Subscriber Plaintiffs’ classwide claims in this litigation. (Doc. # 2610-2).³ Under the Settlement, the Settling Defendants agreed to pay \$2.67 billion (\$2,670,000,000.00) (the “Settlement Fund”) and, even more crucially, to provide certain injunctive relief consisting of changes to their business practices. (*Id.*).

On November 30, 2020, this court entered an order granting preliminary approval of the Settlement, Plan of Distribution, and Notice Plan. (Doc. # 2641). Thereafter, JND Legal Administration (“JND”), the court-appointed notice and claims administrator, effectuated the court-approved Notice Plan. (Doc. # 2812-2). On September 3, 2021, Subscriber Plaintiffs moved

³ The capitalized terms used herein shall have the same meaning as in the Settlement Agreement. The Settlement Agreement is attached as Exhibit A to Subscriber Plaintiffs’ Memorandum of Law in Support of their Motion for Preliminary Approval of the Settlement Agreement. (Doc. # 2610-2).

The term “Subscriber Actions” means lawsuits brought by persons and entities within the Settlement Classes and consolidated in *In re Blue Cross Blue Shield Antitrust Litigation*, including the Consolidated Amended Class Action Complaint, which is currently pending in the court, all actions that may be transferred or consolidated prior to the time Class Notice is mailed, and all actions that are otherwise based, in whole or in part, on the conduct alleged in MDL No. 2406, including *Piercy v. Health Care Service Corp.*, Case No. 124-28, in the Circuit Court for the First Judicial Circuit, Union County, Illinois.

for final approval of the Settlement and for the appointment of a Settlement Administrator. (Doc. # 2812). In October 2021, the court conducted a multi-day Fairness Hearing and heard arguments from the parties in support of the Settlement and from class members objecting to the Settlement. (Doc. # 2859).

During the Fairness Hearing, it became clear to the court that the Second Blue Bid relief, which under the Settlement was provided only to certain Self-Funded Accounts (sometimes also referred to as “ASOs”), (1) was problematic because it could burden the opt out rights of those Self-Funded Accounts and, in any event, (2) should be construed as divisible injunctive relief under Federal Rule of Civil Procedure 23(b)(3). (See, e.g., Doc. # 2865 at 25-27, 42-44, 95). Subscriber Plaintiffs moved for the opportunity to provide Supplemental Notice to Self-Funded Accounts to address these concerns. (Doc. # 2885). On February 4, 2022, the court granted that motion and ordered the Settlement Administrator to issue supplemental notice to Self-Funded Entity Accounts (*i.e.*, Self-Funded Accounts themselves, not including Members thereof) to make the following explicit: if they opt out of the Rule 23(b)(3) Class (sometimes referred to as the “Damages Class”), they nevertheless retain the right to seek monetary damages and individualized injunctive relief (which may include a Second Blue Bid or other such individualized injunctive relief, depending on the circumstances surrounding a Self-Funded Entity Account’s claim). (Doc. # 2897). These accounts were afforded an additional opportunity to opt out upon receipt of this information. (*Id.*). In ordering Supplemental Notice, the court overruled objections to the Settlement relating to the inability to opt out of the Second Blue Bid injunctive relief. (*Id.*).

On May 10, 2022, Settlement Class Counsel filed a Notice Certifying Compliance with the court’s Order requiring Supplemental Notice. (Doc. # 2914). In response to the Supplemental Notice to Self-Funded Entity Accounts, the Settlement Administrator received thirty-nine timely

exclusion requests (opt-outs) but no additional timely objections. (Doc. # 2914-1 at ¶ 27, pp. 65-66).

On May 16, 2022, the court conducted a status conference with the parties and certain interested objectors. In response to the court's inquiry, no one expressed the need for any additional briefing regarding the proposed Settlement.

Subscriber Plaintiffs' Motion for Final Approval of Class Settlement and Appointment of Settlement Administrator (Doc. # 2812) is, therefore, now properly before the court. In the Motion, Subscriber Plaintiffs ask the court to (1) enter a Final Approval Order and (2) enter an Order Appointing the Honorable Irma E. Gonzalez (Ret.) as Settlement Administrator.⁴ (*Id.*). Subscriber Plaintiffs' Counsel also seek approval of their Attorneys' Fee and Expense Application. (Doc. # 2733).

The court has carefully considered the Settlement Agreement, Subscriber Plaintiffs' Motion, the memoranda of law and exhibits filed in support thereof by the parties, the proposed Plan of Distribution, the Objections, and briefing by the Objectors, the parties, and other interested persons. For the reasons discussed below, the Motion for Final Approval of Class Settlement and Appointment of Settlement Administrator (Doc. # 2812) is due to be granted.

II. The Settlement Terms and Class Relief

The Settlement Classes include a damages and divisible injunctive relief class under Rule 23(b)(3), as well as an indivisible injunctive relief class under Rule 23(b)(2). The Settlement Classes include any person or entity within the Injunctive Relief Class or the Damages and divisible injunctive relief Class, excluding Government Accounts and Opt-Outs. (Doc. # 2610-2 ¶ 1(III)). The Fully Insured Settlement Class Period is February 7, 2008 through October 16, 2020

⁴ The court has already entered an Amended Stipulation and Order Regarding Protected Health Information and Personally Identifiable Information for Subscriber Settlement. (Docs. # 2615; 2879).

(“FI Class Period”). (Doc. # 2610-2 ¶ 1(nnnn)). The Settlement Class Period for the Self-Funded Accounts is September 1, 2015 through October 16, 2020 (“Self-Funded Class Period”). (*Id.*).

A. The Settlement Class Members

The Settlement Classes agreed to by the parties are defined as follows:

1. The Damages Class

The Damages Class includes “all Individual Members (excluding dependents and beneficiaries), Insured Groups (including employees, but excluding non-employee Members), and Self-Funded Accounts (including employees, but excluding non-employee Members) that purchased, were covered by, or were enrolled in a Blue-Branded Commercial Health Benefit Product⁵ (unless the person or entity’s only Blue-Branded Commercial Health Benefit Product during the Settlement Class Period was a stand-alone vision or dental product) sold, underwritten, insured, administered, or issued by any member plan during the Settlement Class Period.” (Doc. # 2610-2 ¶ 1(v)).

The Damages Class includes employees⁶ of Insured Groups and Self-Funded Accounts who were covered by a Blue-Branded Commercial Health Benefit Product during the Settlement Class Period, whether or not they expressly contributed towards their premiums or the cost of that Product, excluding their beneficiaries and dependents. The Damages Class also excludes “Government Accounts,”⁷ Medicare Accounts of any kind, Settling Defendants, and any parent or

⁵ Commercial Health Benefit Products mean “any product or plan providing for the payment or administration of health care services,” including but not limited to medical, pharmacy, dental, and vision services. (Doc. # 2610-2 ¶¶ 1(o), 1(v)). However, if a person or entity’s only Blue-Branded Commercial Health Benefit Product during the Settlement Class Period was a stand-alone vision or dental product, that person or entity is not included in the Damages Class. (*Id.*).

⁶ Employees “means any current or former employee, officer, director, partner, or proprietor of an entity.” (Doc. # 2610-2 ¶ 1(v)).

⁷ “Government Account” is defined in the Settlement as “only a state, a county, a municipality, an unincorporated association performing municipal functions, a Native American tribe, or the federal government

subsidiary of any Settling Defendant (and their covered or enrolled employees)” as well as any Opt-Outs, “the judge presiding over this matter, and any members of his judicial staff, to the extent such staff were covered by a Commercial Health Benefit Product not purchased by a Government Account during the Settlement Class Period.” (Doc. # 2610-2 ¶ 1(v)). Subscriber Plaintiffs are also seeking certification of a “Self-Funded Sub-Class” consisting of Self-Funded Accounts and their employees during the applicable Settlement Class Period, September 1, 2015 through October 16, 2020. The Self-Funded Sub-Class is separately represented by Self-Funded Sub-Class Counsel and the Self-Funded Sub-Class Representative. (Doc. # 2610-2 ¶¶ 1(dddd), 1(eeee)).

2. The Injunctive Relief Class

The Injunctive Relief Class includes “all Individual Members, Insured Groups, Self-Funded Accounts, and Members that purchased, were covered by, or were enrolled in a Blue-Branded Commercial Health Benefit Product sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan during the Settlement Class Period.” (Doc. # 2610-2 ¶ 1(pp)). The Injunctive Relief Class includes beneficiaries and dependents of employees (including minors).

B. The Class Relief

The Settlement provides: (a) a \$2.67 billion settlement fund; and (b) significant structural changes to Defendants’ practices that are to be closely monitored for compliance with both the antitrust laws and the injunctive relief terms of the Settlement by a Monitoring Committee (more

(including the Federal Employee Program). The term Government Account includes all Members of the Government Account. No other entity that is not a state, county, municipality, unincorporated association performing municipal functions, Native American tribe or the federal government is a Government Account, unless it is required by law to provide any health care coverage it makes available to Members only under, or as a participant in, a Commercial Health Benefit Product approved, selected, procured, sponsored or purchased by a Government Account. Entities that are not Government Accounts (e.g., utility companies, school districts, government-funded hospitals, public retiree benefit plans, public libraries, port authorities, transportation authorities, waste disposal districts, police departments, fire departments) will receive notice and an opportunity to submit a claim form to the extent they are otherwise within the definition of the Damages Class.” (Doc. # 2610-2 1(hh)).

fully described below) for a period of five years following the entry of judgment approving the Settlement.

1. The Settlement Fund

The Settlement requires Defendants to establish a Settlement Fund of \$2.67 billion, to be deposited into an Escrow Account for ultimate distribution. The Settlement Fund includes the Notice and Administration Fund and Fee and Expense Award(s). (Doc. # 2610-2 ¶ 1(oooo)).

The Settlement Fund will: (1) pay all Settlement Class Members who are entitled to a distribution from the Net Settlement Fund (“Authorized Claimants”) in accordance with a court-approved Plan of Distribution (Doc. # 2610-2 ¶ 27); (2) fund a \$100 million Notice and Administration Fund to pay Notice and Administration Costs (Doc. # 2610-2 ¶¶ 1(ggg), 29(a)), as well as up to \$7 million to “reimburse plaintiffs’ counsel’s actual and reasonable fees and expenses incurred for Notice and Administration” (Doc. # 2610-2 ¶ 28(h)) and costs of monitoring (Doc. # 2610-2 ¶ 21); and (3) pay court-awarded attorneys’ fees and expenses, together not to exceed a combined total of 25% of the Settlement Amount. (Doc. # 2610-2 ¶ 28).

If there is any balance remaining in the \$100 million Notice and Administration Fund, it will be returned to Settling Defendants after the completion of the administration and the five-year Monitoring Period. (*Id.* ¶ 30). That is, Defendants’ only reversionary interest in the Settlement Fund, if any money remains in the Settlement Fund (apart from any remainder of the \$100 million Notice and Administration Fund) after distributions to Authorized Claimants, the Fee and Expense Award, and any court-awarded Service Awards, the Claims Administrator will, subject to court approval, allocate the remaining Escrow Account balance to Settlement Class Members. (*Id.*).⁸

⁸ If it is not economical to distribute any remaining money to Settlement Class Members, subject to court approval, the Claims Administrator may follow the directions set forth in the Plan of Distribution approved by the court. (Doc. # 2610-2 ¶ 30).

Settlement Class Counsel and Self-Funded Sub-Class Counsel may petition the court for replenishment by Defendants of the Notice and Administration Fund upon a showing of necessity for such replenishment. (*Id.* ¶ 1(ggg)).

Settling Defendants have already transferred \$100 million for the Notice and Administration Fund into the Escrow Account and advanced \$300 million of the remaining Settlement Amount. (*Id.* ¶ 23(a)). Within thirty calendar days of the court's entry of the Final Judgment and Order of Dismissal, Settling Defendants will transfer the remaining portion of the Settlement Amount into the Escrow Account. (*Id.* ¶ 23(b)).

2. Injunctive Relief

In addition to the \$2.67 billion in monetary recovery, Class Representatives, Subscriber Plaintiffs' Counsel, and Self-Funded Sub-Class Counsel secured substantial injunctive relief on behalf of the Settlement Classes. That relief includes structural changes to BCBSA's rules and regulations and the establishment of a Monitoring Committee to oversee compliance with the Settlement. As explained by Dr. Daniel Rubinfeld, each of these hard-won changes to Defendants' rules provides additional relief to the Class, creating opportunities for more competition in the market for the purchase and administration of health insurance and providing the potential for a more competitive environment in which Settlement Class Members may achieve greater consumer choice, better product availability, and increased innovation. (Doc. # 2610-10). Defendants have already taken steps to implement the injunctive relief following entry of the Preliminary Approval Order.

Key provisions of this injunctive relief include the following:

a. Eliminating Restrictions on Non-Blue Competition

BCBSA's license agreements with each Blue Plan have included limitations on Blue Plans' ability to generate revenue using "Green" brands outside the Blue Plan's assigned territorial service area; this restriction is known as the National Best Efforts ("NBE") requirement. (Doc. # 2610-10 ¶ 8). Settling Defendants have agreed to "eliminate and no longer enforce the National Best Efforts Requirement," and to "not adopt or implement any equivalent requirement or any rule in any future License Agreement or Membership Standard that imposes a cap, ratio, or other quantitative limit on a Settling Individual Blue Plan's non-Blue Branded healthcare business outside of its Service Area." (Doc. # 2610-2 ¶ 10). The Settlement's elimination of this restriction unleashes Green competition, which will directly benefit the class.

b. Opening the Door to Expanded Blue Bids and Competition

Class Representatives also secured a path to increased competition among Blue Plans for national accounts in three important ways. First, certain Qualified National Accounts ("QNAs") (defined as Employers with more than 5,000 employees and which also meet certain dispersion criteria, discussed in more detail below) will be able to seek a second bid from the Blue Plan of their choosing, an option that was previously prohibited. (*Id.* ¶ 15). This provision applies to at least 33 million⁹ Members in the aggregate and will promote competition across the market. (*Id.* ¶ 1(u)). Second, for accounts with Independent Health Benefit Decision Locations in more than one Blue Plan's Service Area, each Independent Health Benefit Decision Location may request a bid from the Blue Plan in its Service Area to cover employees working at that Location. (*Id.* ¶ 14(b)). Third, when Multi-Service Area National Accounts (*i.e.*, those with more than 250 total Members and Headquarters in the bidding Blue Plan's Service Area) seek bids, and the Blue Plan for that

⁹ To be clear, this figure includes accounts that already have the right to request a bid from more than one Blue Plan. These accounts will not receive the right to request additional bids. (Doc. # 2610-2 ¶ 15).

Service Area decides to bid the Account under a non-Blue brand, the right to bid the Account under the Blue brands must be “ceded” to another Blue Plan, thereby allowing increased opportunities and choice for that account. (*Id.* ¶ 14(a)). All three of these provisions represent structural change to the current system that will produce additional choices for accounts and increased competition.

c. Local Best Efforts

The Local Best Efforts (“LBE”) rule requires that 80% of a Blue Plan’s healthcare-related revenue within the Blue Plan’s Service Area must come from Blue-branded business. The Settlement limits this requirement to 80% and limits the measurement of revenue for purposes of compliance with this requirement to no larger than the state level. (*Id.* ¶ 11).

d. Acquisitions

BCBSA currently controls -- through Blue Plan voting -- whether any individual Blue Plan may be acquired by another Blue Plan. Under the Settlement Agreement, Settling Defendants are only permitted to impose “legal and reasonable conditions on the acquisition of a member plan, but only to the extent that those conditions are reasonably necessary to prevent impairment of (1) the value of the Blue Marks, or (2) the competitiveness or efficiency of the Blue Branded business or of the Blue Marks.” (*Id.* ¶ 17). Any condition must provide that the potential acquirer may request that the Monitoring Committee review any rejection by BCBSA, followed by binding arbitration. (*Id.*).

e. Contracting Provisions for Self-Funded Accounts

The Settlement permits direct contracting between Non-Provider Vendors and Self-Funded Accounts. (*Id.* ¶ 12(a)). The Settlement also permits Blue Plans to do business with Self-Funded Accounts that directly contract with Specialty Service Provider Vendors, subject to certain conditions. (*Id.* ¶ 12(b)). Further, during the Monitoring Period and unless otherwise agreed to by

the Settling Individual Blue Plan and Self-Funded Account, the Settlement requires that for a given contracted Provider, the Settling Individual Blue Plan will not enter into different standard commercial fee schedules for medical and surgical claims for its Self-Funded Accounts, on the one hand, and Insured Groups (other than Insured Groups who purchase an ACA-compliant individual or small-group product), on the other hand; provided, however, that the products, networks, administrative services, and plan designs are the same, excluding differences in reimbursement rates individually negotiated with a contracted Provider. (*Id.* at ¶ 12(d)).

f. Most Favored Nation Clauses

Blue Plans must abide by state laws, and any written agreements in effect as of November 2019 with a state regulatory agency must be disclosed to Settlement Class Counsel, which expressly regulate the use of Most Favored Nations (“MFN”) or Most Favored Nation-Differential (“MFN-Differential”) clauses in Provider contracts. If there is no governing law or applicable written agreement, the Blue Plan entering into an MFN Differential¹⁰ must demonstrate to the Monitoring Committee that the provision does not violate the terms of the Settlement. (*Id.* ¶ 18).

g. Monitoring Committee

To oversee compliance with the Settlement for five years from the court’s entry of Final Judgment and Order of Dismissal, the Settlement establishes a Monitoring Committee “made up of (1) two members appointed collectively by Settling Defendants, (2) one member appointed collectively by Settlement Class Counsel, (3) one member appointed by Self-Funded Sub-Class Settlement Counsel, and (4) one member appointed by the Court.”¹¹ (*Id.* ¶¶ 1(xx), 1(z)).

¹⁰ An MFN Differential is “an MFN which requires that the Provider offer to a health plan financial terms that are more favorable by a specified rate than those it offers any comparable health plan during the performance period of the contract.” (*Id.* ¶ 1(bbb)).

¹¹ The Monitoring Committee’s reasonable fees and expenses will be paid from the Notice and Administration Fund. (*Id.* ¶ 21).

Additionally, the Monitoring Committee will mediate certain disputes related to the Settlement. (*Id.* ¶ 20). During the Monitoring Period, BCBSA may advise Settlement Class Counsel, Self-Funded Sub-Class Settlement Counsel, and the Monitoring Committee of BCBSA Board actions to be taken adopting rules or regulations that are within the scope of Paragraphs 10-18. (*Id.*). If the proposed rule or measure is not reported to the Monitoring Committee, or if an arbitrator finds that the proposed rule or measure does not comply with the terms of the Settlement, the rule or measure will not constitute a Released Claim and is not covered under the Settlement. (*Id.*). The inclusion of the Monitoring Committee in the Settlement affords the Settlement Classes and the court substantial assurance of the Settling Defendants' compliance with the Settlement. Any reporting obligation as well as the authority of the Monitoring Committee shall cease at the conclusion of the Monitoring Period. (*Id.*).

C. Settlement Class Release

Upon the Effective Date of the Settlement, Releasors (Class Representatives and Settlement Class Members) who have not timely and validly excluded themselves (*i.e.*, opted out) will have fully released all claims against the Releasees ((i) Individual Blue Plans, (ii) BCBSA, (iii) NASCO,¹² and (iv) Consortium Health Plans, Inc.,¹³ as well as related entities). (*Id.* ¶¶ 32, 1(vvv), 1(www)). Opt-Outs will release all claims for indivisible injunctive or declarative relief against the Releasees. However a Self-Funded Account opt-out meeting the criteria to request a Second Blue Bid under the terms of the Settlement Agreement does not release any claims for individualized declaratory or injunctive relief to request a Second Blue Bid during any time it

¹² NASCO is a healthcare technology company owned by several Blue Plans and is involved in processing claims.

¹³ Consortium Health Plans, Inc. is a marketing company owned by several Blue Plans and provides marketing assistance regarding national accounts to BCBSA and the Blue Plans.

meets the criteria to request such a bid under the terms of the Settlement Agreement. The releases apply to Releasors and their related persons and entities, such as dependents and beneficiaries under their benefits plans.

The Releasors agree to release any and all known and unknown claims:

based upon, arising from, or relating in any way to: (i) the factual predicates of the Subscriber Actions (including but not limited to the Consolidated Amended Class Action Complaints filed in the Northern District of Alabama) including each of the complaints and prior versions thereof, or any amended complaint or other filings therein from the beginning of time through the Effective Date; (ii) any issue raised in any of the Subscriber Actions by pleading or motion; or (iii) mechanisms, rules, or regulations by the Settling Individual Blue Plans and BCBSA within the scope of Paragraphs 10 through 18 approved through the Monitoring Committee Process during the Monitoring Period.

(*Id.* ¶ 1(uuu)). Thus, the Released Claims in certain circumstances will include those “mechanisms, rules or regulations” enacted after the Effective Date that are approved by the Monitoring Committee during the Monitoring Period, but only to the extent those “mechanisms, rules or regulations” relate to the provisions enumerated in Paragraphs 10 through 18 of the Settlement.

The Releasors retain their right to assert certain claims relating to coverage, benefits and administration of claims that arise in the ordinary course of business and are not “based in whole or in part on the factual predicates of the Subscriber Actions or any other component of the Released Claims discussed in this Paragraph.” (*Id.*).

Additionally, Providers who are Settlement Class Members retain the right to assert any claims arising from their sale or provision of health care products or services, and Settling Defendants have agreed not to raise Providers’ releases under this Settlement as a defense to Providers’ claims brought in their capacity as Providers of health care products or services in MDL No. 2406. (*Id.*).

D. Attorneys' Fees and Costs

In their Motion for Approval of Their Attorneys' Fees and Expenses Application (Doc. # 2733), Settlement Class Counsel have applied to this court separately for: (i) an award of attorneys' fees, plus (ii) reimbursement of expenses and costs reasonably and actually incurred in connection with prosecuting the Subscriber Actions, for a combined total of 25% of the Settlement Amount. (*Id.*). The court will address this request in more detail below and in a separate order.

E. Plan of Distribution

The Claims Administrator, JND, will make all valid distributions for Authorized Claimants in accordance with the terms of the Settlement and the proposed Plan of Distribution. (Doc. # 2610-5; Doc. # 2641 at 52). JND has provided notice to the Classes about the Plan of Distribution. (Doc. # 2812-2; Doc. # 2914-1 (outlining extensive notice efforts)). The Settlement Agreement contemplates that the court will appoint a Settlement Administrator to assist in the implementation of the Plan of Distribution and to resolve any disputes concerning the claims process. Settlement Class Counsel are seeking appointment of Judge Irma E. Gonzalez (Ret.) as Settlement Administrator. The court addresses this issue below.

The Net Settlement Fund is allocated between Individual Members and Insured Groups on the one hand ("Fully Insured Claimants") and the Self-Funded Sub-Class on the other. Settlement Class Counsel and Self-Funded Sub-Class Counsel (together, "Class Counsel") sought the assistance of Feinberg as Allocation Mediator to facilitate the determination of an appropriate allocation of the Net Settlement Fund between Fully Insured Claimants and the Self-Funded Sub-Class. (Doc. # 2610-6 ¶ 33; Doc. # 2610-7 ¶ 9; Doc. # 2610-8 ¶ 6). Counsel presented evidence to Feinberg concerning the relative volume of payments and differing strengths of claims for Self-

Funded Accounts and Fully Insured Claimants. (Doc. # 2610-6 ¶ 33; Doc. # 2610-7 ¶ 9; Doc. # 2610-8 ¶ 6).

Counsel ultimately presented an allocation to Feinberg for his review. (Doc. # 2610-6 ¶ 33; Doc. # 2610-7 ¶ 10; Doc. # 2610-8 ¶ 13). Feinberg reviewed the allocation recommendation and determined that it was reasonable. (Doc. # 2610-8 ¶ 14). The allocation is based on numerous factors including the strengths of the respective claims, the substantially shorter Self-Funded Class Period, and the fact that premiums paid for fully-insured coverage dwarf the administrative fees charged for self-insured coverage. (Doc. # 2610-6 ¶ 33; Doc. # 2610-7 ¶ 10; Doc. # 2610-8 ¶ 14). Under this allocation, the Self-Funded Sub-Class (including Self-Funded Account employees) will receive 6.5% of the Net Settlement Fund (“Self-Funded Net Settlement Fund”), with the remainder allocated to Fully Insured Claimants (and their employees) (“FI Net Settlement Fund”). (Doc. # 2610-5 ¶ 3).

In order to develop an equitable distribution of the Self-Funded Net Settlement Fund and the FI Net Settlement Fund among Authorized Claimants for each fund, Class Counsel retained the Brattle Group to assist with designing a Plan of Distribution to be administered by JND. (Doc. # 2610-6 ¶ 34). All distributions to Authorized Claimants are subject to a \$5 minimum payment threshold to ensure that the resources involved in processing a claim are not out of proportion to the value of the individual claim. (Doc. # 2610-5 ¶ 28).

For the FI Net Settlement Fund, JND will first calculate the actual premiums paid by Individual Members and Insured Groups using data produced by Settling Defendants. (Doc. # 2610-5 ¶ 12). Those premiums will be used to calculate the pro rata share of the FI Net Settlement Fund available to each claiming Individual Member and Insured Group. (*Id.* ¶ 13). For Individual Members, no further calculation is required, and a claiming Individual Member will receive his or

her full pro rata share of the FI Net Settlement Fund. (*Id.* ¶¶ 13, 16). For any Insured Group where only the employer makes a claim, and no employees do so, the employer will be eligible for 100% of the Insured Group’s pro rata distribution. (*Id.* ¶ 18). If any employees make a claim, the Insured Group’s pro rata share must be appropriately allocated between the employer and any claiming employees. Significantly, these allocations relate solely to what an employer or employee receives under the Settlement, and do not in any way purport to dictate or address what, if any, obligations employers may have as fiduciaries of ERISA plans, or how an allocation may impact their use of any funds received.

Typically, both employers and employees bear a portion of the burden of the premiums paid by Insured Groups. (Doc. # 2610-9). Based on this economic reality, Class Counsel proposed a “Default” option for apportioning premiums between employers and employees. (Doc. # 2610-5 ¶ 19(f)). Given the difference in contribution percentages for single and family coverage, the Default option under the Plan of Distribution sets contribution percentages for Insured Group employees with single coverage at 15% and with family coverage at 34%. (Doc. # 2610-8 ¶ 18; Doc. # 2610-9 ¶ 31 (discussing the economic reasonableness of setting different Default contribution percentages for single and family coverage based on employers historically sharing more of the burden for single coverage than family coverage)). Any Authorized Claimant will automatically be assigned the Default option on their Claim Form, at which point they will not be required to provide further evidence of their premium payments, and their claims will be administered using Settling Defendants’ data to the extent possible.

Where both the employer and any employees make a claim, the first step in calculating the employer and employees’ portion of the Insured Group’s pro rata distribution is to estimate the amount of the Insured Group’s premiums attributable to each claiming employee. (Doc. # 2610-5

¶ 19(a)). JND will use Settling Defendants’ data to calculate the “Unallocated Employee Premium” for each claiming employee. (*Id.*) Then, the appropriate Default contribution percentage (based on the type of coverage for the claiming employee during any period for which a claim is made) will be applied to the Unallocated Employee Premium to determine which portion of the Unallocated Employee Premium is deemed to have been paid by the employee (as opposed to the employer). (*Id.* ¶ 19(e)). The employee will receive credit for the portion of their Unallocated Employee Premium as reduced by the Default contribution percentage. (*Id.* ¶ 19(f)).

This procedure is not fixed in stone. Rather than accepting the Default option on the Claim Form, any employer or employee believing that they paid a higher contribution percentage than the Default may select the “Alternative” option and can provide materials to the Settlement Administrator to support that contribution percentage. (*Id.* at ¶ 19(h)). If sufficient data or records are submitted by either an employer or by employees, then the Settlement Administrator, in the exercise of sound discretion, shall determine the appropriate amount by which to increase or decrease the allocation between the employer and the employees, taking into account the same factors considered in setting the Default option, as well as the reliability of the data presented by the claimant selecting this Alternative option. (*Id.* at ¶ 19(i)). Finally, if an employee files a claim and his or her employer does not, the employee will receive credit only for their portion of the Unallocated Employee Premium as determined by the allocation methodology described above. (*Id.* at ¶ 20).

Similarly, for the Self-Funded Sub-Class, payments will be allocated from the Self-Funded Net Settlement Fund using this same method but based on an employee’s estimated share of the employer’s administrative fees, with slightly different set contribution percentages for the Default

option (18% for employees with single coverage and 25% for employees with family coverage)¹⁴ and the same ability to select an Alternative option with the presentation of data. (Doc. # 2610-5 ¶¶ 22-26; Doc. # 2610-9 ¶ 51). Again, as with Insured Groups, the amount allocated to employers is for Settlement distribution only, and does not address what, if any, obligations those employers may have under ERISA.

F. Approval of Class Notice

1. Notice to the Classes

JND, the Notice and Claims Administrator, sent direct notice to over 100,000,000 Class Members. (Doc. # 2812-2 ¶ 5). JND sent 77,360,606 postcard notices to Damages Class Members for whom no email address was available and electronic notice to 27,497,063 Damages Class members for whom email addresses were available. (*Id.* ¶¶ 36, 44). With respect to direct mail notice, in order to reasonably ensure that these notices reached Damages Class members given the lengthy Settlement Class Period (back to 2008 for some Damages Class members) and the likelihood that many addresses may have changed over time, JND made substantial efforts to confirm mailing addresses, which included updating addresses through credit bureau advanced-level searches and utilizing USPS's National Change of Address search functionality. Due to this rigorous work in perfecting the mailing database, 93.5% of all postcard notices were deemed deliverable, and only 6.5% were deemed undeliverable. (*Id.* ¶¶ 39-40). Similarly, for email notice, JND utilized its industry-leading email solutions to ensure an efficient and effective email

¹⁴ The Default option for the Self-Funded Sub-Class was similarly determined by Settlement Class Counsel and Self-Funded Sub-Class Settlement Counsel, and found reasonable by the Allocation Mediator, through consideration of the same factors discussed above; however, employee contributions for the Self-Funded Sub-Class during the Self-Funded Class Period were on average higher for single coverage (18% to 19% compared to 14% to 19% for fully insured) and lower for family coverage (24% to 26% compared to 33% to 39% for fully insured), which is reflected in the Default percentages of 18% and 25%. (Doc. # 2610-5 ¶¶ 22-26; Doc. # 2610-8 ¶ 18; Doc. # 2610-9 ¶ 51).

campaign, which included designing an email notice that would avoid spam filters and promote readability. (*Id.* ¶ 42). Where emails bounced back for temporary reasons (such as a full email inbox), JND made multiple attempts to resend emails to increase the deliverability rates. (*Id.* ¶ 43). Based on all of this work, JND successfully delivered email notice to 27,497,063 Damages Class Members. (*Id.* ¶ 44).

In addition to direct notice, JND conducted a robust consumer media campaign, which alone reached more than 85% of potential members of the Settlement Classes. (*Id.* ¶ 46). The consumer media campaign included digital, print, radio, and television efforts, with concerted outreach to African-American and Hispanic markets. (*Id.* ¶¶ 47-55). In addition to consumer media notice, JND also targeted individuals responsible for filing claims on behalf of Damages Class members, including human resources employees and business owners. (*Id.* ¶¶ 56-64). JND also purchased a list of HR/employment benefit and other relevant employees and directly reached out to these contacts to ask for assistance in getting notice out to constituents of these organizations. (*Id.* ¶ 66). This resulted in hundreds of direct calls stating that these individuals were assisting in disseminating notice. (*Id.*). Finally, JND instituted an internet search campaign, and solicited and received extensive press coverage of the Settlement. (*Id.* ¶¶ 67-69).

Once notice was complete, JND immediately began its efforts to encourage Class Members who had not filed a claim to do so, including through reminder emails (to both email addresses provided by Settling Defendants and additional email addresses located by JND) and additional outreach to human resources groups. (*Id.* ¶¶ 71-72).

The Notice Plan directed Settlement Class Members to the settlement website that JND established (www.BCBSsettlement.com) for more information about the Settlement. (*Id.* ¶ 79). The settlement website contains key case documents, including the Long Form Notice, the Claim

Form, the operative complaint, the Settlement Agreement, the Preliminary Approval Order, and the Plan of Distribution, along with answers to frequently asked questions (developed in conjunction with Settlement Class Counsel). (*Id.*). The settlement website also allowed for online filing of claims, of which over 99% of Class Members who have submitted claims have availed themselves. (*Id.* ¶ 96). JND expended significant efforts in designing the website to withstand both an enormous volume of traffic and any threats of cyber-security attacks. (*Id.* ¶¶ 79-84). As of August 26, 2021, the website had tracked 14,844,643 unique visitors, 20,666,254 sessions, and 112,006,163 total pageviews, without any reports of slowness or latency. (*Id.* ¶ 85).

JND also established a call center and an email address, info@BCBSsettlement.com, to answer questions from Class Members. (*Id.* ¶ 86). JND initially established and maintained a toll-free telephone line with automated interactive voice response (“IVR”), which was available 24 hours a day, seven days a week. (*Id.* ¶¶ 87-88). The full call center, with live agents, was launched on March 26, 2021, before the first postcard notices commenced. (*Id.* ¶ 90). With input from Settlement Class Counsel and counsel for Settling Defendants, JND developed an extensive phone script and trained 100 operators (later rising to a high of 240 operators as call volume increased exponentially), with operators available to answer calls in English and Spanish. (*Id.*). JND also trained higher-level escalation officers to assist with more sophisticated questions. (*Id.* ¶ 91). As of August 26, 2021, the toll-free line had received 1,062,431 incoming calls. (*Id.* ¶ 92). JND also employed a team of email agents to field questions that arrive through the dedicated email address. (*Id.* ¶ 93). These agents review and respond to incoming emails sent in many languages, including Spanish, French, Korean, and Chinese, among others. (*Id.*).

JND established two separate United States Postal Service Post Office boxes: one for Class Member inquiries and claim forms, and another dedicated strictly to receiving objections and

requests for exclusion. (*Id.* ¶ 95). As of August 31, 2021, JND had received 2,049 timely exclusion requests and 40 timely objections from 123 objectors. (*Id.*).

As of September 3, 2021, JND had already received 6,077,526 claims: 1,381,112 from individual policyholders; 4,194,942 from employees enrolled in their employers' group health plans; and 177,687 from businesses and their group health plans. (*Id.* ¶ 96). Ninety-nine percent of claimants elected the Default option, and claims have been filed by Settlement Class Members in every state in the country. (*Id.* ¶ 97).

Some Objectors complained that there was an improper burden placed on the ability of Self-Funded Accounts to opt out (because opt outs would lose their opportunity to receive a Second Blue Bid). But that concern has been resolved. After the October 2021 Fairness Hearing, Subscriber Plaintiffs requested the opportunity to provide Supplemental Notice to Self-Funded Accounts to allow for that opportunity. (Doc. # 2885). On February 4, 2022, the court granted that motion and ordered the Settlement Administrator to issue supplemental notice to Self-Funded Entity Accounts (*i.e.*, Self-Funded Accounts themselves, not including Members thereof) to make explicit that, if they opt out of the 23(b)(3) Class (sometimes referred to as the "Damages Class"), they retain the right not only to seek monetary damages, but also to seek divisible, individualized injunctive relief, which may include a Second Blue Bid or other individualized injunctive relief, depending on the circumstances surrounding the Self-Funded Entity Account's claim. (Doc. # 2897).

Supplemental direct notice to Self-Funded Accounts was accomplished through mail and email. Both notices provided important summary information about the opt-out and objection rights of Self-Funded Entity Accounts. Both notices also directed Self-Funded Entity Accounts to the Settlement Website, where updated and detailed information was available, including all of the

Settlement documents and a Second Blue Bid section. And, both notices provided a toll-free telephone number and a dedicated email address so that recipients could ask additional specific questions. (Doc. # 2914-1 ¶¶ 12-26).

The Self-Funded Accounts were afforded an additional opportunity to opt out upon receipt of this information. (*Id.*). As of May 10, 2022, JND had received thirty-nine timely exclusion requests and zero timely objections from Self-Funded Entity Accounts related to the Supplemental Notice. (Doc. # 2914-1 at ¶ 27).

2. CAFA Notice

On February 16, 2021, Settling Defendants filed a notice of compliance with the notice requirements of the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715(d). (Doc. # 2704). In compliance with § 1715, CAFA Notice was sent to sixty officials, including the Attorney General of the United States, the Attorneys General of each of the fifty states, the Attorney General for the District of Columbia, and the Attorneys General for Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, and the Northern Mariana Islands. (*Id.*).

3. Court Approval of Notice

The Class has been notified of the Settlement Agreement pursuant to the plan and supplemental plan approved by the court. Class Members have had the opportunity to be heard on all issues regarding the resolution and release of their claims by submitting objections to the Settlement Agreement to the court. Appropriate and sufficient notice of the Fairness Hearing and the rights of all Class Members has been provided to all people and entities entitled to such notice. In addition, pursuant to CAFA, 28 U.S.C. § 1711 *et seq.*, notice was provided to the Attorneys General for each of the states in which a Class Member resides and to the Attorney General of the United States. (Doc. # 2704). Therefore, the court finds that the form and methods of notifying

Class Members of the terms and conditions of the proposed Settlement Agreement constituted the best practicable notice under the circumstances and meets the requirements of Rule 23(c)(2) of the Federal Rules of Civil Procedure, any other applicable law, and due process.

III. Applicable Legal Standards for Final Approval

Federal Rule of Civil Procedure 23(e) requires judicial approval of any class settlement.

To be approved, a settlement must be fair, reasonable, and adequate. **Fed. R. Civ. P. 23(e)**. The procedure for judicial approval is well established:

- (1) Certification of a settlement class and preliminary approval of the proposed settlement after submission to the court of a written motion for preliminary approval.
- (2) Dissemination of notice of the proposed settlement to the affected class members.
- (3) A final approval hearing, at which evidence and argument concerning the fairness, adequacy, and reasonableness of the settlement are presented.

Manual for Complex Litig. (Fed. Jud. Center, 4th ed. 2004), § 21.63.

For the reasons more fully explained below, after considering the Settlement Agreement, the arguments and authorities presented by the parties in their motions and briefing, all objections and comments regarding the Settlement Agreement, the arguments at the Fairness Hearing held in October 2021, and the entire record in this case, the court reaffirms its findings in the Preliminary Approval Order and makes a final determination that the Settlement Agreement is fair, reasonable, and adequate within the meaning of **Federal Rule of Civil Procedure 23**.

A. Certification of the Classes for Settlement Purposes Under Rule 23(a) and (b)

When presented with a motion for final approval of a class action settlement, a court first evaluates whether certification of a settlement class is appropriate under **Federal Rule of Civil Procedure 23(a)** and (b). The Federal Rules provide that a class action may be maintained if Rule 23(a) is satisfied and if the provisions of Rule 23(b)(1), (b)(2), or (b)(3) are satisfied. **Fed. R. Civ.**

P. 23(b). The court analyzed these Rules in its Preliminary Approval Order. (Doc. # 2614). It reaffirms its findings here. Specifically, the court finds that all of the prerequisites of Rule 23(a) and the requirements of (b)(2) and (b)(3) have been satisfied for certification of the settlement class for settlement purposes only.

With regard to Rule 23(a), Subscriber Plaintiffs easily satisfy the necessary elements of the Rule. The Damages Class, the Self-Funded Sub-Class, and the Injunctive Relief Class consist of tens of millions of members, a number that is so numerous that joinder of all members is impracticable. The alleged conspiracy at the heart of the Subscriber case implicates several questions of law and fact common to the settlement class. The claims of the settlement class representatives are typical of the claims of the absent settlement class members. And, the settlement class representatives and settlement class counsel have and will adequately and fairly protect the interests of the settlement class.

With regard to Rule 23(b), the proposed classes also satisfy the requirements of Rules 23(b)(2) and (b)(3). Subscriber Plaintiffs have alleged that the Settling Defendants engaged in a nationwide conspiracy and that the conspiracy affected each of the Injunctive Relief Class members in similar ways. The class claims involve common questions of law and fact. And, because the Settling Defendants are alleged to have acted on grounds generally applicable to the injunctive relief class, injunctive relief is appropriate with respect to the class under Rule 23(b)(2).

As to the damages class under Rule 23(b)(3), “[i]n addition to finding that common questions predominate over individual inquiries . . . the Court must find that the class action vehicle is superior to other available methods for adjudication.” *In re Domestic Air Transp. Antitrust Litig.*, 137 F.R.D. 677, 693 (N.D. Ga. 1991). Rule 23(b)(3) identifies four factors relevant to the superiority requirement: “(A) the Class Members’ interests in individually controlling the

prosecution or defense of separate actions; (B) the extent and nature of any litigation concerning the controversy already begun by or against Class Members; (C) the desirability or undesirability of concentrating the litigation of the claims in the particular forum; and (D) the likely difficulties in managing a class action.” Fed. R. Civ. P. 23(b)(3).

With respect to factor (A), there are at least tens of millions of Settlement Class Members, which makes the class action device the only feasible method of resolving the claims against the Settling Defendants. Factor (B) also supports certification of the Damages Class. The Judicial Panel on Multidistrict Litigation (“JPML”) explained at the outset of this matter that the actions “involve substantial common questions of fact relating to the state BCBS entities’ relationship with the national association, BCBSA, and the licensing agreements that limit the Blue Plans’ activity to exclusive service areas, among other restrictions.” *In re Blue Cross Blue Shield Antitrust Litig.*, 908 F. Supp. 2d 1373, 1376 (J.P.M.L. 2012); see 28 U.S.C. § 1407. Moreover, since § 1407 centralization in this court, the court has overseen over nine years of substantial pretrial litigation and is confident in this finding. Factor C also favors certification. The JPML chose this court as a transferee court because it would “serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation” *Id.* Factor D, manageability of the class action, is of little relevance when a court is faced with certification of a settlement class. See, e.g., *In re Nat. Football League Players’ Concussion Inj. Litig.*, 307 F.R.D. 351, 371 (E.D. Pa. 2015), amended sub nom. *In re Nat’l Football League Players’ Concussion Inj. Litig.*, 2015 WL 12827803 (E.D. Pa. May 8, 2015), and aff’d sub nom. *In re Nat’l Football League Players Concussion Inj. Litig.*, 821 F.3d 410 (3d Cir. 2016), as amended (May 2, 2016).

Having carefully considered the factors set forth above, the court concludes that the Damages Class satisfies the relevant requirements of Rule 23(b)(3).

B. The Settlement is Fair, Reasonable, and Adequate Under Rule 23(e)(2) and the Bennett Factors

Next, the court must determine whether the proposed settlement is fair, reasonable and adequate under Rule 23(e)(2). That rule subpart provides as follows:

If the proposal would bind class members, the court may approve it only after a hearing and only on finding that it is fair, reasonable, and adequate after considering whether:

(A) the class representatives and class counsel have adequately represented the class;

(B) the proposal was negotiated at arm's length;

(C) the relief provided for the class is adequate, taking into account:

(i) the costs, risks, and delay of trial and appeal;

(ii) the effectiveness of any proposed method of distributing relief to the class, including the method of processing class-member claims;

(iii) the terms of any proposed award of attorney's fees, including timing of payment; and

(iv) any agreement required to be identified under Rule 23(e)(3); and

(D) the proposal treats class members equitably relative to each other.

Fed. R. Civ. P. 23(e)(2).

In addition to Rule 23(e)(2), courts in the Eleventh Circuit also consider the following six factors when assessing the fairness of a settlement: 1) the likelihood of success at trial; 2) the range of possible recovery; 3) the point on or below the range of possible recovery at which a settlement is fair, adequate, and reasonable; 4) the complexity, expense, and duration of the litigation; 5) the substance and amount of opposition to the settlement; and, 6) the stage of proceedings at which settlement was achieved. *In re Equifax Inc. Customer Data Sec. Breach Litig.*, 999 F.3d 1247, 1273 (11th Cir.), *cert. denied sub nom. Huang v. Spector*, 142 S. Ct. 431 (2021), and *cert. denied sub nom. Watkins v. Spector*, 142 S. Ct. 765 (2022) (quoting *Bennett v. Behring Corp.*, 737 F.2d

982, 986 (11th Cir. 1984)); *see also* *Carroll v. Macy's, Inc.*, 2020 WL 3037067, at *5 (N.D. Ala. June 5, 2020).

1. Class Members Were Adequately Represented

Subscriber Class Representatives here “share the same interests as absent class members, assert claims stemming from the same event [, which] are the same or substantially similar to the rest of the class, and share the same types of alleged injuries as the rest of the class.” *In re Equifax Inc. Customer Data Sec. Breach Litig.*, 2020 WL 256132, at *5 (N.D. Ga. Mar. 17, 2020), *aff'd in part, rev'd in part & remanded on other grounds* 999 F.3d 1247 (11th Cir. 2021). Subscriber Class Representatives have demonstrated their adequacy by working collaboratively with well-qualified counsel who are highly experienced and capable in the fields of class action and antitrust litigation. Class Counsel have litigated scores of these cases to resolution, and are recognized as top authorities in their field. And, Class Counsel have vigorously, professionally, and successfully litigated this extremely hard-fought case for nine years.

Self-Funded Sub-Class Counsel have also vigorously represented the interests of the Self-Funded Sub-Class since joining the settlement process. To ensure that any potential settlement was fair, the Self-Funded Sub-Class Counsel obtained significant discovery materials, retained their own experts, and conducted their own searching analysis of the claims and defenses in this case. (*Id.*).

The court is well-acquainted with Class Counsel's performance in this case. It has spent scores of hours with them and observed their work. The court has no hesitation in concluding that they have more than adequately represented the Settlement Classes in accordance with Rule 23(e)(2)(A).

2. The Settlement Was Negotiated at Arm's Length

Rule 23(e)(2)(B) requires the court to determine whether a proposed settlement “was negotiated at arm’s length.” Relatedly, one of the *Bennett* factors requires the court to rule out the possibility of fraud or collusion behind a class settlement. *Leverso v. SouthTrust Bank of Ala., Nat. Assoc.*, 18 F.3d 1527, 1530 (11th Cir. 1994).

As this court previously discussed, this was by no means a quick resolution. There is absolutely no evidence of any collusion. The Settlement was extensively negotiated over the course of five years with the assistance of experienced mediators and with input from a number of subject matter experts. The parties experienced multiple impasses and worked diligently to navigate those difficult decisions. Moreover, only after reaching agreement on the terms of the relief for the Classes did the parties even begin to negotiate attorneys’ fees for Class Counsel. Under the terms of the Settlement, the payment of fees does not impact the amount of relief available to Class Members. Moreover, the court’s Special Master, Ed Gentle, who helped the parties reach the ultimate agreement, has submitted a declaration attesting to the fact that there was no collusion involved. (Doc. # 2610-12). The court is more than satisfied that the Settlement was negotiated at arm’s length, and there was no collusion.

3. The Relief Provided to the Classes Is Adequate

As explained more fully below, the court concludes that a review of the Rule 23(e)(2)(C) factors weighs heavily in favor of granting final approval to the Settlement.

a. The Significant Costs, Risks, and Delay of Trial and Appeal

The Settlement provides immediate and substantial benefits to tens of millions of Class Members. The antitrust claims and defenses before the court are complex. Although this litigation has been pending for nine years, and the parties have spent more than enough time litigating to

fully evaluate the case, much remains to be done on the litigation track. If there is no resolution, there will be expensive and hard fought litigation for more years in this court, transferor courts, and appellate courts. This court would be able to try the accelerated Alabama cases. But there are forty-one subscriber cases. Absent a settlement, most of those will be remanded to transferor courts and the parties will be faced with many years of further litigation. *See In re U.S. Oil & Gas Litig.*, 967 F.2d 489, 493 (11th Cir. 1992) (noting that complex litigation “can occupy a court’s docket for years on end, depleting the resources of the parties and taxpayers while rendering meaningful relief increasingly elusive”). The history of this litigation demonstrates that continued litigation in Alabama and in dozens of other jurisdictions would be costly, risky, and protracted.

Although the parties have litigated substantial motions, it could still be some years before the court and the parties are in a position to set even the accelerated Alabama cases for trial. In the accelerated Alabama actions, in relation to the class certification motion, Subscriber Plaintiffs have presented a sophisticated damages model estimating impact and damages based on the potential of entry by Blue and Green competitors into Alabama. This but-for world constructed by Subscriber Plaintiffs’ experts involves a complex modeling of factors estimating the impact of the entry of competition within the market, including estimated profitability of entry, timing of entry, type of entry, strength of entry, progression of entry, competitive responses to entry, and the effects of entry on competition. Plaintiffs’ experts then modeled an estimate of damages.

Defendants’ experts have aggressively challenged Subscriber Plaintiffs’ damages model and vigorously attacked Subscriber Plaintiffs’ proposed findings and their experts’ calculations. Without a settlement, the court will be required to consider contested class certification motions, and complicated motions regarding the admissibility of the parties’ respective experts. One side or the other (if not both) is likely to appeal whatever decision the court makes on the class certification

and *Daubert* motions. Even if Subscriber Plaintiffs were to succeed in certifying a damages class for Alabama and an injunctive relief class, they would still need to prove their claims and damages at trial. Furthermore, one side or the other is likely, absent a settlement, to appeal the outcome of any trial.

If the parties continue to litigate these cases, they would be required to devote significant time and enormous resources to these cases. There is simply no guarantee that Subscriber Plaintiffs would recover a final judgment more favorable than the considerable \$2.67 billion in monetary relief and the injunctive relief secured by the Subscriber Plaintiffs in the Settlement. There is certainly a range on the spectrum of outcomes wherein they could do worse. Therefore, the court concludes that the “costs, risks, and delay of trial and appeal,” Fed. R. Civ. P. 23(e)(2)(C)(i), strongly support final approval.

b. The Method of Distributing Relief to the Class Is Effective

The parties’ proposed method of processing the Settlement Class Members’ claims and distributing relief to eligible claimants is efficient and effective. The Plan of Distribution will efficiently calculate the value of millions of claims based on data available from the Settling Defendants, rather than requiring every Authorized Claimant to provide years of information about their premium amounts and actual contribution percentages. Every Damages Class member is given an opportunity to make a claim, and if an Authorized Claimant does not agree with the Default option, that claimant can provide additional information in support of an Alternative option, which will be reviewed and adjudicated by the Settlement Administrator.

Class Counsel have retained JND to process claims. JND has a proven track record and has been chosen as the administrator in a number of large, complex, and high-profile class action

settlements.¹⁵ Class Counsel is also seeking appointment of the Honorable Irma E. Gonzalez (Ret.) as Settlement Administrator to adjudicate any challenges to claim determinations. Judge Gonzalez is a distinguished retired jurist who has continued to make substantial contributions to the law since leaving the bench. The court finds that the method of distributing relief to the Class Members is effective.

c. The Requested Attorney's Fees Are Reasonable

Settlement Class Counsel have requested a combined fee and expenses award from the \$2.67 billion-dollar common fund of 25%. (Doc. # 2733-1 at 4). Settlement Class Counsel also intend to apply for up to \$7 million from the Notice and Administration Fund to “reimburse plaintiffs’ counsel’s actual and reasonable fees and expenses incurred for Notice and Administration.” (Doc. # 2610-2 ¶ 28(h)). This request for fees and expenses is in line with benchmarks set by the Eleventh Circuit and this court for fees alone. *See In re Equifax*, 2020 WL 256132, at *31 (“Typically, awards range from 20% to 30%, and 25% is considered the ‘benchmark’ percentage.”); *In re Equifax*, 999 F.3d at 1281 (citing favorably to similar authority); *Faught v. Am. Home Shield Corp.*, 668 F.3d 1233, 1243 (11th Cir. 2011) (noting “well-settled law from this court that 25% is generally recognized as a reasonable fee award in common fund cases.”).

As noted above, in addition to the requested fees being reasonable, the payment of the requested fee award does not in any way affect the amount of relief available to Class Members. Finally, there are no agreements required to be identified by Rule 23(e)(3). Accordingly, the requirements of Rule 23(e)(2)(C) are satisfied.

¹⁵ For example, JND administered the settlement in *In re Equifax Inc. Customer Data Security Breach Litigation*, 999 F.3d 1247 (11th Cir. 2021), valued by plaintiffs’ counsel in excess of \$1.3 billion.

4. Class Members Are Treated Equitably Relative to One Another

Under Rule 23(e)(2)(D), courts must consider “whether the apportionment of relief among class members takes appropriate account of differences among their claims, and whether the scope of the release may affect class members in different ways that bear on the apportionment of relief.” See **Fed. R. Civ. P. 23** Advisory Committee’s note to 2018 amendment; *see also In re Payment Card Interchange Fee & Merch. Disc. Antitrust Litig.*, **2019 WL 6875472**, at *27 (E.D.N.Y. Dec. 16, 2019). The allocation in the settlement between Class Members was negotiated at arm’s length under the auspices of Ken Feinberg, the country’s leading authority on allocations of large settlements and compensation funds. Feinberg -- who has worked on such matters as the September 11th Victim Compensation Fund, the Troubled Asset Relief Program, and the BP Deepwater Horizon Disaster Victim Compensation Fund, to name just a few -- confirmed that the allocation is reasonable. (See **Doc. # 2610-8**).

With respect to damages, the Plan of Distribution accounts for the differing risks and claim strengths for different Class Members; therefore, it ensures, to the greatest reasonably practicable extent, that Class Members are treated equitably. *See Fitzgerald v. P.L. Mktg., Inc.*, **2020 WL 3621250**, at *9 (W.D. Tenn. July 2, 2020) (finding this Rule 23(e)(2) factor to favor approval where distribution took into account the greater risks some class members faced). The Plan of Distribution distinguishes between Fully Insured Claimants, who purchased insurance from Defendants, and Self-Funded Sub-Class Claimants, who purchased administrative services only. Under the Plan, Fully Insured Claimants are allocated 93.5% of the settlement, while Self-Funded Sub-Class Claimants are 6.5%.

Feinberg concluded that distributing 93.5% of the Net Settlement Fund among Fully Insured Claimants and the remaining 6.5% of the Net Settlement Fund among Self-Funded

Claimants constituted a reasonable allocation of the Net Settlement Fund. (Doc. # 2610-8 ¶ 6). In Feinberg’s opinion, the proposed FI/Self-Funded Allocation “treats class members equitably relative to each other” as is required by Rule 23(e)(2)(D). (*Id.* ¶ 13). As Feinberg explained:

[T]he proposed FI/Self-Funded Allocation meets [the Rule 23(e)(2)(d) standard], for multiple reasons. First, the negotiated number falls towards the low end of Self-Funded Settlement Sub-Class Counsel’s estimate, and the high end of Settlement Class Counsel’s estimate. In any negotiation, absent unusual factors, one would expect an outcome in that range. Second, the relative size of the Self-Funded Claimants’ share makes sense given the statute of limitations and premiums vs. administrative fees issues discussed above. And finally, although not necessary to my decision, the fact that the division resulted from protracted negotiations between sophisticated counsel also supports its reasonableness. I note that some of the injunctive relief in the Settlement Agreement (such as direct contracting with vendors for self-funded accounts, ¶ 12; and the Second Blue Bid, ¶ 15) applies exclusively to Self-Funded Accounts, rather than to Individual Members and Insured Groups. My conclusion that the Settlement’s allocation of relief is equitable for Self-Funded Accounts is only strengthened by this additional injunctive relief, which applies solely to those Class Members.

(Doc. # 2610-8 ¶¶ 14-15).

At the Fairness Hearing, Class Counsel and Self-Funded Sub-Class Counsel reiterated that the allocation agreement was the product of a multi-month, vigorous negotiation. (See Doc. # 2685 at 124, 135). A guiding principle in these matters is that “[p]arties represented by competent counsel are better positioned than courts to produce a settlement that fairly reflects each party’s expected outcome in litigation.” *In re Netflix Privacy Litig.*, 2013 WL 1120801, at *8 (N.D. Cal. Mar. 18, 2013) (quoting *Rodriguez v. West Publ’g Corp.*, 563 F.3d 948, 965 (9th Cir. 2009)). “The recommendations of plaintiffs’ counsel should be given a presumption of reasonableness.” *In re Omnivision Techns., Inc.*, 559 F. Supp. 2d 1036, 1043 (N.D. Cal. 2009) (quoting *Boyd v. Bechtel Corp.*, 485 F. Supp. 610, 622 (N.D. Cal. 1979)); see also *In re EVCI Career Colleges Holding Corp. Sec. Litig.*, 2007 WL 2230177, at *11 (S.D.N.Y. July 27, 2007). But, the court fully understands its role under Rule 23 to ensure fairness, adequacy, and reasonableness.

The outcome of this hard-fought negotiation was an economically reasonable allocation, as confirmed by Dr. Joseph Mason, who is an experienced antitrust economist, a chaired professor at LSU, and a fellow at the Wharton School at the University of Pennsylvania. (Doc. # 2825-1). Dr. Mason explains that “one would expect the apportionment of settlement proceeds between the Subscriber Class and the Self-Funded Sub-Class to reflect the relative share of overcharges borne by Fully-Insured and ASO plans, respectively, during the relevant class periods.” (*Id.* ¶ 30). To approximate these overcharges, Dr. Mason examined four proxies: relative gross revenue, net revenue, operating gain differential, and growth in net revenue components per member for ASO and Fully-Insured products. (*Id.* ¶¶ 30-31). Using these four proxies, the implied settlement allocations for the Self-Funded Sub-Class were, respectively, 1.7%, <10.7%, <3.9-6.3%, and 3.4-3.8%. Thus, Dr. Mason’s proxies demonstrate that a 6.5% allocation for the Self-Funded Class is fair, adequate, and reasonable.

Also, as Dr. Mason has explained, “ASO subscribers purchase from a more competitive market than Fully-Insured subscribers.” (*Id.* ¶ 22). For some Blues, fully insured business runs anywhere from as much as four to ten times more profitable than ASO business. (*See* Docs. # 2868-1; 2868-2; 2812-12 at 3). And, for others, ASO business may be break-even or even serve as a loss leader. (*See* Docs. # 2868-3; 2868-4; 2868-5; 2868-6; 2868-7). Because of the availability of substitute products -- such as other third party administrators, the option to administer healthcare plans in-house, and the existence of large national health plan administrators -- the ASO market is significantly more competitive than its counterparts. (*See* Doc. # 2865 at 41-44).

Moreover, the allocation is justified by the different time periods for the classes and the uncertainty regarding litigation outcomes. (Doc. # 2825-1 ¶¶ 30 n.49; 33-35). The Fully Insured

Class Period spans twelve and a half years while the Self-Funded class spans five years.¹⁶ Because the ASOs did not become involved in the lawsuit until late 2019, they did not face the same litigation perils and expenses as the rest of the Class. Therefore, a discount factor is appropriate in assessing their portion of the settlement as such a discount reflects “the expected amount of time that would elapse before a litigation or settlement payment is made[,] as well as the risk associated with that payment.” (*Id.* ¶ 35). Here, according to Dr. Mason, a “conservative” discount factor would be no less than 50%. (*Id.*).

Finally, every class member is subject to the same release, and the release does not affect the apportionment of relief to other Class Members.

In light of all of these factors, the court finds that the Settlement Agreement treats Class Members equitably.

5. The Proposed Settlement is Fair, Adequate, and Reasonable Under the Remaining *Bennett* Factors

“[I]n order to approve a settlement, the district court must find that it ‘is fair, adequate, and reasonable and is not the product of collusion between the parties.’” *Bennett*, 737 F.2d at 986 (quoting *Cotton v. Hinton*, 559 F.2d 1326, 1330 (5th Cir. 1977)). A settlement is fair, reasonable, and adequate when “the interests of the class as a whole are better served if the litigation is resolved by the settlement rather than pursued.” *In re Lorazepam & Clorazepate Antitrust Litig.*, MDL No. 1290, 2003 WL 22037741, at *2 (D.D.C. June 16, 2003) (quoting *Manual for Complex Litig.* (Third) § 30.42 (1995)). In evaluating a proposed settlement, the court is “not called upon to determine whether the settlement reached by the parties is the best possible deal, nor whether class

¹⁶ “‘Settlement Class Period’ means February 7, 2008, through the Execution Date, except for the Self-Funded Accounts, for whom the Settlement Class Period is September 1, 2015 through the Execution Date.” (Doc. # 2610-2 ¶ 1(nnnn)).

members will receive as much from a settlement as they might have recovered from victory at trial.” *In re Checking Acct. Overdraft Litig.*, 2020 WL 4586398, at *8 (S.D. Fla. Aug. 10, 2020), *aff’d sub nom. In re Checking Account Overdraft Litig.*, 2022 WL 472057 (11th Cir. Feb. 16, 2022) (quoting *In re Mexico Money Transfer Litig.*, 164 F. Supp. 2d 1002, 1014 (N.D. Ill. 2000) (citations omitted)).

a. Likelihood of Success at Trial and Complexity, Expense, and Duration of the Litigation

The court considers the first and fourth *Bennett* factors together. Throughout this case, Defendants have vigorously disputed liability and have pressed a number of affirmative and other defenses. In order to proceed to trial, the parties would have to initially devote significant time to briefing class certification motions and motions to exclude expert testimony. Preparation for trial would involve a slew of new motions and require months of intense work. Even assuming that Plaintiffs prevail at trial, they may not establish damages in the amount of the monetary relief in the Settlement. Finally, if Plaintiffs did prevail at trial, they would certainly face a protracted appellate process.

Counsel have invested over 444,000 hours of attorney time to litigate this case and have made significant investments in expenses. This case has been (and would continue to be) incredibly complex, expensive, and time-consuming. When this reality is combined with the uncertainty of recovery, it is clear that a range of possible recovery includes amounts that are far less than the amount agreed to in the Settlement.

Here, the Settlement provides significant relief to Settlement Class Members. At \$2.67 billion, the Settlement represents one of the largest antitrust class settlements in history. And even if the monetary benefit that is actually distributed between Settlement Class Members is not in an amount that a lay observer might expect, as discussed more fully below, the injunctive aspects of

the Settlement significantly alter the Blues' business practices and substantially increase the value of the Settlement to the Class Members.

To be clear, the dollar amount of the Settlement is substantial. But, to put it in a context of expected outcomes, Subscriber Plaintiffs' expert Ariel Pakes calculated an overcharge ranging from 3.4% to 5.5% for Alabama class members. (Doc. # 2411-1 ¶ 10). In extrapolating the Alabama damages model nationwide through 2019, Dr. Pakes, estimated Subscriber damages as ranging from \$18.6 billion to \$36.1 billion. (Doc. # 2610-11 ¶ 10). A recovery of \$2.67 billion represents 7.3% to 14.3% of that estimated damage range, which easily falls within the range of reasonable recoveries. *See Bennett*, 737 F.2d at 986-87 & n.9 (approving \$675,000 settlement representing 5.6% of claims with maximum potential recovery of \$12,000,000); *In re Checking Account Overdraft Litig.*, 830 F. Supp. 2d 1330, 1346 (S.D. Fla. 2011) ("[S]tanding alone, nine percent or higher constitutes a fair settlement even absent the risks associated with prosecuting these claims."). The bottom line is this: this financial settlement is one of the largest ever in history, particularly considering that this is a private enforcement settlement.

As significant as the monetary amount of \$2.67 billion is, the truly exceptional aspect of this settlement is the structural relief agreed upon. The business practice changes established in the Settlement are significant and are designed to enhance competition going forward. (Doc. # 2610-10 ¶ 37). Subscriber Plaintiffs have explained that the Settlement Agreement remedies the most significant of those restraints by abolishing the National Best Efforts revenue cap and establishing the Second Blue Bid for Qualified National Accounts. In doing so, the settlement will provide for materially greater competition in the field of health care financing. (Doc. # 2610-1 at 52 n.31). To put the value of the negotiated injunctive relief in context, during the litigation phase, Dr. Pakes

estimated “that NBE accounted for 97 percent of the total damages in the case.” (Doc. # 2626 at 160).

“In a case where experienced counsel represent the class, the Court ‘absent fraud, collusion, or the like, should hesitate to substitute its own judgment for that of counsel.’” *Ingram v. The Coca-Cola Co.*, 200 F.R.D. 685, 691 (N.D. Ga. 2001) (quoting *Cotton v. Hinton*, 559 F.2d 1326, 1330 (5th Cir. 1977)).¹⁷ In light of Class Counsel’s qualifications, which include substantial experience litigating MDLs, class actions, and other complex cases, the court “has confidence in their collective judgment that the benefits of this settlement far outweigh the delay and considerable risk of proceeding to trial.” *Ingram*, 200 F.R.D. at 691. The relief secured by the Subscriber Plaintiffs with this Settlement—both monetary and non-monetary—reflects an excellent result for the Settlement Classes and plainly falls within the range of reasonableness contemplated by these factors.

b. The Stage of the Proceedings/Development of the Factual Record

The second and third *Bennett* factors are “easily combined and normally considered in concert.” *Camp v. City of Pelham*, 2014 WL 1764919, at *3 (N.D. Ala. May 1, 2014). “The law is clear that early settlements are to be encouraged, and accordingly, only some reasonable amount of discovery should be required to make these determinations.” *Ressler v. Jacobson*, 822 F. Supp. 1551, 1555 (M.D. Fla. 1992). The *Bennett* factors require a court to consider whether “the case settled at a stage of the proceedings where class counsel had sufficient knowledge of the law and facts to fairly weigh the benefits of the settlement against the potential risk of continued litigation.” *In re Equifax*, 2020 WL 256132, at *10.

¹⁷ The United States Court of Appeals for the Eleventh Circuit adopted as binding precedent the decisions of the United States Court of Appeals for the Fifth Circuit handed down prior to September 30, 1981. *Bonner v. City of Prichard*, 661 F.2d 1206, 1207 (1981).

Here, Plaintiffs conducted exhaustive discovery. They obtained and reviewed over 75 million pages of documents and over 100 terabytes of data, took over 100 depositions, and worked extensively with experts on liability and damages analyses. Plaintiffs have had ample opportunity to investigate the facts and law to obtain substantive rulings from the court. Thus, it is clear that the factual record in this matter was sufficiently developed to allow Class Counsel to make a reasoned judgment as to the merits of the settlement. *See Swaney v. Regions Bank*, 2020 WL 3064945, *5 (N.D. Ala., June 9, 2020) (holding that settlement was appropriate where the parties “have litigated this case for over seven years, through dispositive motions” and “have had the opportunity to investigate the facts and law, review substantive evidence relating to the claims and defenses, and brief the relevant legal issues”). The court is satisfied that Class Counsel were able to adequately evaluate the desirability of the settlement as opposed to continuing with the litigation.

6. The Substance and Amount of Opposition to the Settlement

In determining whether a proposed settlement is fair, reasonable, and adequate, the reaction of the class is an important factor. *Wal-Mart Stores, Inc. v. Visa U.S.A., Inc.*, 396 F.3d 96, 117-18 (2d Cir. 2005). Thus, a low percentage of objections as compared to the size of the class points to the reasonableness of a proposed settlement and supports its approval. *Bennett*, 737 F.2d at 986.

As of August 31, 2021, after direct notice was sent to over 100 million class members and after an extensive media and outreach campaign, JND had received 2,049 timely and valid exclusion requests (opt-outs) and 40 timely objections from 123 Objectors. (Doc. # 2812-2 ¶ 95).¹⁸ Over two months before the deadline to file a claim, JND had already received a total of 6,077,526 claims comprised of 177,687 claims on behalf of companies/businesses/entities, 1,381,112 claims

¹⁸ Eighty-one of these Objectors, or 66% of all objectors, are represented by the same law firm.

from individuals reporting that they purchased health insurance directly from a BCBS Company, and 4,194,942 claims from employees. (*Id.* at ¶ 96). More than 99% of claims opted for the default option. (*Id.* at ¶ 97). As of May 10, 2022, after Supplemental Notice was issued to the Self-Funded Sub-Class, JND had received only thirty-nine timely exclusion requests and zero timely additional objections. (Doc. # 2914-1 at ¶ 27).

As one court has held, forty-one objections based on 8,822,803 notices mailed constitutes an infinitesimal ratio (.00050%) when compared to the millions of potential class members. *Lipuma v. Am. Express Co.*, 406 F. Supp. 2d 1298, 1324 (S.D. Fla. 2005). Here, proportionally there actually are *far fewer* objections when comparing the relative sizes of the classes. And, as of the filing of the Motion for Final Approval of Class Settlement, over six million claims had been submitted by class members seeking to participate in the Settlement.

As courts in the Eleventh Circuit have explained, “[i]t is settled that ‘[a] small number of objectors from a plaintiff class of many thousands is strong evidence of a settlement’s fairness and reasonableness.’” *In re Checking Acct. Overdraft Litig.*, 2020 WL 4586398 at *15 (alteration in original) (quoting *Ass’n for Disabled Ams. v. Amoco Oil Co.*, 211 F.R.D. 457, 467 (S.D. Fla. 2002)); *see also Ferron v. Kraft Heinz Foods Co.*, 2021 WL 2940240, at *12 (S.D. Fla., July 13, 2021) (“This Court, like others, considers the reaction of the Settlement Class to the proposed settlement to be an important indicator as to its reasonableness and fairness.”). The miniscule number of opt-outs and objections to this proposed Settlement in comparison to the tens of millions of Class Members and the large number of claims filed, militates in favor of approval of the Settlement. *See, e.g., In re Toys “R” Us Antitrust Litig.*, 191 F.R.D. 347, 355 (E.D.N.Y. 2000) (approving settlement based on small number of opt outs and objections in light of the “huge number of potential Class members and massive nationwide notice”); *Taifa v. Bayh*, 846 F. Supp.

723, 728 (N.D.Ind. 1994) (approving class settlement, and noting that objectors represent “little more than 10 percent” of the class).

IV. Objections to the Settlement

Federal Rule of Civil Procedure 23(e)(5)(A) affords class members who oppose a settlement the right to object. “Often times objectors play a beneficial role in opening a proposed settlement to scrutiny and identifying areas that need improvement.” *In re Equifax*, 999 F.3d at 1257 (quoting David F. Herr, *Annotated Manual for Complex Litigation* § 21.643 (4th ed. 2021)) (internal quotation marks omitted)). All of the objections were publicly filed on the court’s docket and are of record. (Docs. # 2812-19; 2812-20; 2812-21; 2812-22). Additionally, certain Objectors filed post-fairness hearing briefs further detailing their objections to the settlement. (Docs. # 2873; 2874; 2875; 2876).

On February 4, 2022, the court addressed the substance of certain objections related to the Second Blue Bid relief provided to certain Self-Funded Accounts and whether that relief should be properly construed as divisible injunctive relief under Federal Rule of Civil Procedure 23(b)(3). (Doc. # 2897). The court granted Subscriber Plaintiffs’ Motion (Doc. # 2885) and provided the parties the opportunity to send Supplemental Notice to Self-Funded Accounts. In particular, the court ordered the Settlement Administrator to issue supplemental notice to Self-Funded Entity Accounts to make explicit that, if they opt out of the 23(b)(3) Class (sometimes referred to as the “Damages Class”), they retain the right not only to seek monetary damages, but also to seek individualized injunctive relief, which may include a Second Blue Bid or other such individualized injunctive relief, depending on the circumstances surrounding the Self-Funded Entity Account’s claim. (Doc. # 2897). In ordering Supplemental Notice, the court overruled the objections to the Settlement relating to the inability to opt out of the Second Blue Bid injunctive relief. (*Id.*)

As discussed more fully below, after carefully considering the objections to the Settlement, the court has determined that none of the remaining objections cast any doubt on the fairness of the Settlement. Accordingly, the court overrules all of the remaining objections not already addressed in its February 4, 2022 Memorandum Opinion and Order Granting Motion for Supplemental Notice to Self-Funded Accounts. (Doc. # 2897).

The remaining objections to the Settlement can be broadly categorized as follows:

1. Whether the Settlement perpetuates conduct that the court already found to be *per se* illegal;
2. Whether the Settlement requires the court to issue an advisory opinion that the revised ESAs are lawful;
3. Whether the Settlement Improperly Releases Future Conduct;
4. Whether the allocation between the Subscribers and Self-Funded Sub-Class is fair;
5. Whether the Self-Funded class period should go back to 2008;
6. Whether the QNA Definition is too narrow or the requirements to obtain a Second Blue Bid are unreasonable;
7. Whether the Local Best Efforts Rule should be left intact;
8. Whether Tribal-related entities should be part of the Settlement;
9. Whether Attorney Fees are too high;
10. Whether the Settlement Monetary Relief is too low;
11. Whether the Self-Funded Sub-Class Counsel had a conflict; and
12. The Department of Labor's ERISA concerns.

(Docs. # 2812-19; 2812-20; 2812-21; 2812-22). The court addresses each category in turn.

A. Whether the Settlement perpetuates conduct that the court already found to be *per se* illegal

The Sperling/Sherrard Opt-Out Objectors and Home Depot Inc., U.S.A. (“Home Depot”) contend that the Settlement should not be approved because doing so would perpetuate a *per se* violation of Section 1 of the Sherman Act. The court disagrees.

First, the premise of this objection is wrong. To the extent these objectors argue that the court already found ESAs to be *per se* illegal, they misread the court’s standard of review opinion. The court did not find ESAs alone to be *per se* unlawful under *Sealy* and *Topco*.¹⁹ (Docs. # 2812-19 at 17-20; 2812-20 at 43). In the April 5, 2018 Memorandum Opinion and Order Regarding Section 1 Standard of Review, the court held that “Defendants’ [then] aggregation of a market allocation scheme *together with certain other output restrictions* is due to be analyzed under the *per se* standard of review. . . .” (Doc. # 2063 at 59) (emphasis added). In fact, the court did not even address ESAs alone. Rather, the court addressed the then-existing accumulation of alleged restraints.

Under *Bennett*, “unless the illegality of an arrangement under consideration is a legal certainty, the mere fact that certain of its features may be perpetuated is no bar to approval.” *Bennett*, 737 F.2d at 987. See also *Fraley v. Batman*, 638 F. App’x 594, 597 (9th Cir. 2016) (“a district court abuses its discretion in approving a settlement only if the agreement sanctions ‘clearly illegal’ conduct.”) (citing *Robertson v. Nat’l Basketball Ass’n*, 556 F.2d 682, 686 (2d Cir. 1977)) (approving an antitrust settlement over the objection that “it perpetuates for ten years two ‘classic group boycotts’ in violation of Section 1 of the Sherman Antitrust Act” because “the alleged

¹⁹ *United States v. Sealy, Inc.*, 388 U.S. 350 (1967); *United States v. Topco Associates, Inc.*, 405 U.S. 596, 598 (1972).

illegality of the settlement agreement is not a legal certainty”) (citing *Grunin v. International House of Pancakes*, 513 F.2d 114, 124 (8th Cir.), *cert. denied*, 423 U.S. 864 (1975))).

Furthermore, the court certified its standard of review decision -- and its conclusion about the legal effect of the aggregation of restraints -- for interlocutory appeal. (Doc. # 2023). In doing so, the court necessarily found that there is a substantial ground for difference of opinion as to its decision. 28 U.S.C. § 1292(b). If there is a substantial ground for a difference of opinion as to the legality of the aggregation of restraints, it follows that the alleged illegality of one of those restraints alone is not a legal certainty.

To be clear, this Settlement permits ESAs²⁰ to remain in place. But, that is not cause to reject final approval. *See Fraley*, 638 F. App’x at 594; *Robertson*, 556 F.2d at 686; *Bennett*, 737 F.2d at 987; *Grunin*, 513 F.2d at 123-24. After careful review, the court concludes that the arrangement that will exist upon implementation of the Settlement is not clearly illegal. Even more to the point, Defendants’ Motion Regarding the Antitrust Standard of Review Applicable to Provider Plaintiffs’ Section 1 Claims (Doc. # 2722) tees up the issue of whether ESAs alone constitute a *per se* violation of Section 1. That issue is more fully addressed in a Memorandum Opinion and Order on Defendants’ Motion, which the court has entered contemporaneously with this Final Order and Judgment. In that Memorandum Opinion and Order the court concludes that it must apply the rule of reason analysis to those of Providers’ claims that challenge the ESAs alone in the absence of a National Best Efforts Agreement.

²⁰ As the Blues note, “the use of the ESAs by the Blue system has been public knowledge for decades. Yet the federal agencies charged with enforcing our antitrust laws have chosen never to bring the claims brought by the Class Representatives and Subscriber Class Counsel in this case. Nor did any of the Objectors ever see fit to challenge the arrangement they now claim is ‘clearly illegal,’ even though it was public knowledge for decades before these lawsuits were filed. It is simply not tenable for the Objectors now to arrive on the scene claiming that the ESAs they have been living with for decades are ‘clearly illegal,’ thus barring final approval of the Settlement.” (Doc. # 2812-1 at 83).

As the court's opinion on that motion concludes, there have been material changes to the Blues' going-forward system which add significant procompetitive features. In light of these changes, and the uncertainty which impelled the court to certify its 2018 standard of review ruling under § 1292(b), the court concludes that the post-settlement Blue system will not be clearly illegal.²¹

Therefore, the objection asserting that the Settlement perpetuates a *per se* violation of Section 1 of the Sherman Act is **OVERRULED**.

B. Whether the Settlement requires the court to issue an advisory opinion that the revised ESAs are lawful

Home Depot also objects to the Settlement to the extent its approval may contain an advisory opinion regarding the legality of the going-forward Blues system. (Doc. # 2812-20 at 33). The National Account, Church Plan, and Taft-Hartley Objectors have made similar arguments. (Doc. # 2812-19 at 15-21). Subscribers respond by noting that “the [c]ourt need only satisfy itself that the arrangement left intact under the Settlement is not ‘clearly illegal.’” (Doc. # 2812-1 at 83) (citing *Bennett*, 737 F.2d at 987).

The Settlement Proponents' draft order approving the Settlement contains a section regarding the Standard of Review which reads:

Standard of Review.

21. The Court finds that its April 5, 2018 Memorandum Opinion Regarding Section 1 Standard of Review and Single Entity Defense (ECF No. 2063) and the accompanying Order (ECF No. 2064) no longer apply to the Blue System, as revised by this Settlement Agreement.

²¹ The sum and substances of the Objectors' arguments appears to be that the post-settlement changes to the Blue System do not render the system clearly legal. That is not the test. Over the years, the courts have settled on the “clearly illegal” standard because it best comports with the policy favoring settlements.

(Doc. # 2812-17 at 11). However, the court is not required to adopt any proposed Order and has conducted its own, independent analysis of the Settlement. Moreover, even the proposed Order does not suggest that the court issue an advisory opinion.

In the Preliminary Approval Order, the court noted that:

The proposed Settlement currently under consideration alters Defendants' business model. The Settlement eliminates the National Best Efforts revenue cap[]. [T]he elimination of that policy is a significant change that the court preliminarily finds will drastically alter the forward-looking landscape such that the court's standard of review opinion would no longer apply. Of course, the Settlement does not change the facts as they existed during the class period.

(Doc. # 2641 at 48). The court need not say more. Indeed, to do so would actually involve issuing an advisory opinion on the merits of issues that are not currently before the court. In reviewing a class action settlement, the court does not "have the right or the duty to reach any ultimate conclusions on the issues of fact and law which underlie the merits of the dispute." *United States v. Alabama*, 271 F. App'x 896, 902 (11th Cir. 2008) (quoting *Cotton v. Hinton*, 559 F.2d 1326, 1330 (5th Cir. 1977)); see also *Fraley*, 638 F. App'x at 597 ("When approving a settlement, a district court should avoid reaching the merits of the underlying dispute.") (citing *Isby v. Bayh*, 75 F.3d 1191, 1198 (7th Cir. 1996)).

Therefore, Home Depot's objection relating to an advisory opinion is **OVERRULED**. Nonetheless, as noted above, in ruling on Defendants' Motion Regarding the Antitrust Standard of Review Applicable to Provider Plaintiffs' Section 1 Claims (Doc. # 2722), the court was called upon to directly address the issue of whether ESAs alone constitute a *per se* violation of Section 1 in deciding a fully briefed Rule 56 Motion. In the court's Memorandum Opinion and Order on that Motion, which has been entered contemporaneously with this Final Order and Judgment, the court concludes that it must apply the rule of reason analysis to Providers' claims based on ESAs alone.

C. Whether the Settlement improperly releases future conduct

Home Depot also objects to the scope of the proposed release provision of the Settlement Agreement. Home Depot argues that the release is impermissible because it requires members of the injunctive relief class to release future claims for injunctive and equitable relief. (Doc. # 2812-20 at 19). Building on that objection, Home Depot further argues that public policy forbids such a prospective release of a private party's right to enforce the antitrust laws against future conduct. (*Id.* at 22). That objection is off the mark.

The Settlement Agreement defines "Released Claims" as follows:

"Released Claims" means any and all known and unknown claims, causes of action, cross-claims, counter-claims, charges, liabilities, demands, judgments, suits, obligations, debts, setoffs, rights of recovery, or liabilities for any obligations of any kind whatsoever (however denominated), [] known or unknown, suspected or unsuspected, asserted or unasserted, direct or derivative, *based upon, arising from, or relating in any way to: (i) the factual predicates of the Subscriber Actions (including but not limited to the Consolidated Amended Class Action Complaints filed in the Northern District of Alabama) including each of the complaints and prior versions thereof, or any amended complaint or other filings therein from the beginning of time through the Effective Date; (ii) any issue raised in any of the Subscriber Actions by pleading or motion; or (iii) mechanisms, rules, or regulations by the Settling Individual Blue Plans and BCBSA within the scope of Paragraphs 10 through 18 approved through the Monitoring Committee Process during the Monitoring Period.* Nothing in this Release shall release claims, however asserted, that arise in the ordinary course of business and are based solely on (i) whether a particular product, service or benefit is covered by the terms of a particular Commercial Health Benefit Product, (ii) seeking resolution of a benefit plan's or a benefit plan participant's financial responsibility for claims, based on either the benefit plan document or statutory law, or (iii) challenging a Releasee's administration of claims under a benefit plan, based on either the benefit plan document or statutory law. Any claim, however asserted, (i) that a product, service, or benefit should be or should have been covered, but was not covered, (ii) seeking resolution of a benefit plan's or benefit plan participant's financial responsibility for claims, or (iii) challenging a Releasee's administration of claims under a benefit plan, based in whole or in part on the factual predicates of the Subscriber Actions or any other component of the Released Claims discussed in this Paragraph, is released. Notwithstanding any other provision of this Agreement, a Provider who is a Settlement Class Member as defined in this Agreement does not release any claims arising from his, her or its sale or provision of health care products or services (as opposed to the purchase of a Commercial Health Benefit Product). Settling Defendants agree not to raise Providers' releases under this Agreement as

a defense to Providers' claims brought in their capacity as Providers of health care products or services in MDL No. 2406. For purposes of clarity, Released Claims include, but are not limited to, claims that arise after the Effective Date.

(Doc. # 2610-2 ¶ uuu) (emphasis added).

Paragraphs 10 through 18 of the Settlement Agreement describe the “Class Injunctive Relief.” (*Id.* at ¶¶ 10-18). Paragraph 20 provides:

20. Monitoring and Reporting. During the Monitoring Period, BCBSA may advise Settlement Class Counsel, Self-Funded Sub-Class Settlement Counsel, and the Monitoring Committee of BCBSA Board actions to be taken adopting rules or regulations that are within the scope of Paragraphs 10-18. The communications shall remain Confidential. During the Monitoring Period, Settlement Class Counsel, Self-Funded Sub-Class Settlement Counsel, and Settlement Class Members will report to the Monitoring Committee any and all disputes related to the Agreement, and Settling Defendants will report drafts of new rules or measures for approval under Paragraphs 10 through 18 to the extent Settling Defendants advise of such potential rules or measures and disputes related to obligations created by this Agreement. Any reporting obligation and the authority of the Monitoring Committee shall cease at the conclusion of the Monitoring Period.

(Doc. # 2610-2 ¶ 10). Under paragraph 20, the Monitoring Committee is charged with reviewing actions to be taken by the BCBSA Board and “adopting rules or regulations that are within the scope of Paragraphs 10-18,” *i.e.*, actions taken relating to the equitable relief provisions of the Settlement. (Doc. # 2812-1 at 88).

The “Released Claims and Covenant Not to Sue” provision of the Settlement Agreement provides:

32. Released Claims and Covenant Not to Sue. In addition to the effect of any final judgment entered in accordance with this Agreement, upon the Effective Date as set out in Paragraph 8, and in consideration of the Injunctive Relief and payment of the Settlement Amount into the Settlement Fund, and for other valuable consideration, the Releasors shall be deemed to have, and by operation of the Final Judgment and Order of Dismissal shall have, fully, finally, and forever released, relinquished, and discharged all Released Claims against any and all of the Releasees. Persons or entities in both the Injunctive Relief Class and the Damages Class release all Released Claims. Persons or entities in the Injunctive Relief Class but not the Damages Class, release only claims for equitable or injunctive relief, provided that persons or entities that are within the definition of the Damages Class release any claims for damages that may be asserted by persons or entities

(including dependents and beneficiaries) who claim by, for, under, or through a Damages Class member or the Commercial Health Benefit Product that a Damages Class member purchased, was covered by, or was enrolled in.

The Parties intend that the releases in this Agreement be interpreted and enforced broadly and to the fullest extent permitted by law. Each Releasor shall be deemed to have released all Released Claims against the Releasees regardless whether any such Releasor ever seeks or obtains by any means, including without limitation through the Claim Process, any distribution from Settlement Fund. Class Representatives and Settling Defendants acknowledge, and Settlement Class Members shall be deemed by operation of the Final Judgment and Order of Dismissal to have acknowledged, that the foregoing waivers and releases were separately bargained for and a key element of the settlement of which these releases are part.

(Doc. # 2610-2 at 48-49) (emphasis added).

Thus, three categories of claims (including future claims) are released under these provisions. These categories include claims arising from:

- (i) *the factual predicates of the Subscriber Actions* (including but not limited to the Consolidated Amended Class Action Complaints filed in the Northern District of Alabama) including each of the complaints and prior versions thereof, or any amended complaint or other filings therein from the beginning of time through the Effective Date;
- (ii) *any issue raised in any of the Subscriber Actions* by pleading or motion; or
- (iii) *mechanisms, rules, or regulations* by the Settling Individual Blue Plans and BCBSA *within the scope of Paragraphs 10 through 18* approved through the Monitoring Committee Process during the Monitoring Period.

(*Id.* at ¶ uuu) (emphasis added).

Home Depot argues that “[u]nder the third category of released claims, the proposed monitoring process may add newly-adopted restrictions to the [scope of the] release.” (Doc. # 2812-20 at 21). That is, Home Depot asserts that the release “expands to cover restrictions not currently in effect” because for five years, if the Monitoring Committee reviews a newly-adopted rule or regulation relating to the Subscriber Settlement’s injunctive relief provisions and decides

it is consistent with the Settlement’s injunctive relief provisions, claims regarding any such regulations will be included within the release. (*Id.*).

Subscribers respond that “[t]he Monitoring Committee is not empowered to approve, much less immunize from antitrust scrutiny, any new restraints, new arrangements, or future conduct adopted by the Blues that are not within the scope of the matters addressed in the provisions of the Settlement Agreement[.]” (Doc. # 2812-1 at 88). They argue that “[t]o be barred by the release [] any such future claims would have to arise from continued adherence to the existing arrangements that are ‘the factual predicates of the Subscribers Actions’ or other prongs of the release.” (Doc. # 2812-1 at 92 n.41). They further point out that “[w]ere the Defendants to enter into a new agreement or to adopt a new arrangement, a future plaintiff would not be foreclosed from asserting a new antitrust violation arising under that agreement.” (*Id.*).

“Although it is well established that ‘federal class action settlements routinely include releases waiving future claims,’[] only those claims that arise from an ‘identical factual predicate’ as the settled litigation may be released by the terms of a class action settlement agreement.” *In re Managed Care Litig.*, 2008 WL 11333988, at *5 (S.D. Fla. Apr. 21, 2008), report and recommendation adopted, No. 00-1334-MD, 2008 WL 11333876 (S.D. Fla. May 14, 2008) (citing *Ass’n For Disabled Americans, Inc. v. Amoco Oil Co.*, 211 F.R.D. 457, 471 n.10 (S.D. Fla. 2002) (“[F]ederal class action settlements routinely include releases waiving future claims.”)); see also *McClendon v. Georgia Dep’t of Cmty. Health*, 261 F.3d 1252, 1254 (11th Cir. 2001) (approving release of future claims in tobacco litigation); *In re Chicken Antitrust Litig. Am. Poultry*, 669 F.2d 228, 239 (5th Cir. 1982) (noting that a release of future claims is an important element of antitrust class settlements); *Melito v. Experian Mktg. Sols., Inc.*, 923 F.3d 85, 95-96 (2d Cir.), cert. denied *sub nom. Bowes v. Melito*, 140 S. Ct. 677, 205 L. Ed. 2d 440 (2019) (“The law is well established

in [the Second] Circuit and others that class action releases may include claims not presented and even those which could not have been presented as long as the released conduct arises out of the ‘identical factual predicate’ as the settled conduct.”) (quoting *Wal-Mart Stores*, 396 F.3d at 107, in turn quoting *TBK Partners, Ltd. v. W. Union Corp*, 675 F.2d 456, 460 (2d Cir. 1982)); *Williams v. General Elec. Capital Auto Lease, Inc.*, 159 F.3d 266, 274 (7th Cir. 1998) (“It is not at all uncommon for settlements to include a global release of all claims past, present, and future, that the parties might have brought against each other.”).

Subscribers argue that, here, “[t]o be barred by the release [] any such future claims would have to arise from continued adherence to the existing arrangements that are ‘the factual predicates of the Subscribers Actions’ or other prongs of the release” (Doc. # 2812-1 at 92 n.41), and that “an action [by the Blues] is covered by the release only if that action implements the relief that the Settlement provides.” (Doc. # 2812-1 at 89).

The court agrees that the only new rules and regulations that may be subject to the release are those based on an identical factual predicate and related to the injunctive relief provided by Paragraphs 10 through 18 of the Settlement Agreement. Any new agreement or anticompetitive restraint that is above and/or beyond those within the scope of the Settlement is not released and can be subject to a legal challenge.

Objectors next argue that public policy prohibits the prospective release of future claims. That is a true statement in the most general sense, but the Objectors’ argument is nevertheless off target. In the area of antitrust, there is “considerable caselaw stand[ing] for the proposition that public policy considerations differ when the only ‘prospective’ application of the release in question is the continued adherence to a pre-release restraint on trade.” *In re Managed Care Litig.*, 2010 WL 6532982, at *12 (S.D. Fla. Aug. 15, 2010), report and recommendation adopted, 2011

WL 1522561 (S.D. Fla. Mar. 8, 2011) (citing *Madison Square Garden, L.P. v. Nat'l Hockey League*, 2008 WL 4547518, at *8-9 (S.D.N.Y. Oct. 10, 2008) (rejecting defendant's argument that enforcement of the release would violate public policy surrounding antitrust claims where "the cases on which [the party] relies to support its public policy argument ... involve either releases that purport to bar claims based on future violations, *i.e.*, truly 'new and distinctive incidents', or subsequent conduct by the defendant that goes beyond what was released in the first instance," and finding "considerable support in the caselaw for the distinction relied upon here, namely that the public policy considerations differ when the only 'prospective' application of the release in question is the continued adherence to a pre-release restraint") (internal citation omitted) and *MCM Partners, Inc. v. Andrews-Bartlett & Associates, Inc.*, 161 F.3d 443, 448 (7th Cir. 1998) (taking a functional approach to the question of enforceability, the court found the conduct "clearly based" on pre-release conduct and thus enforced the release, while acknowledging that a "new, post-release agreement" in restraint of trade may be actionable, but noted that mere "continued adherence" to an alleged pre-released agreement" in restraint of trade could not give rise to a viable claim)).

Cases finding releases void due to public policy "largely contemplate impermissibly broad releases that released all types of claims, including 'future' entirely unrelated antitrust claims not circumscribed to an identical factual predicate or to claims that arose out of the alleged conduct or related conduct that could have been alleged[.]" *In re Payment Card Interchange Fee & Merch. Disc. Antitrust Litig.*, 2019 WL 6875472, at *26 (citing *Schwartz v. Dallas Cowboys Football Club, Ltd.*, 157 F. Supp. 2d 561, 575-76, 78 (E.D. Pa. 2001) (finding a release too broad because it released future claims based not only on past conduct but also on future conduct which did not form the basis of the litigation) and *Madison Square Garden*, 2008 WL 4547518, at *8-9).

Because any released claim here would by definition arise from continued adherence to the existing arrangements that are “the factual predicates of the Subscribers Actions” or the injunctive relief provided under the Agreement, the cases cited by Home Depot are inapposite, and its objections relating to the scope of the release are **OVERRULED**.²²

D. Whether the allocation between the Subscribers and Self-Funded Sub-Class is fair

A plan of distribution should be approved when it allocates relief in a way that is “fair, adequate, and reasonable.” *In re Chicken Antitrust Litig. Am. Poultry*, 669 F.2d at 241; *see also Holmes v. Cont’l Can Co.*, 706 F.2d 1144, 1147 (11th Cir. 1983); *Leverso*, 18 F.3d at 1530; *In re Sunbeam Sec. Litig.*, 176 F. Supp. 2d 1323, 1328 n.2 (S.D. Fla. 2001); *Bellocco v. Curd*, 2006 WL 4693490, at *2 (M.D. Fla. Apr. 6, 2006); *Smith v. Floor and Decor Outlets of Am., Inc.*, 2017 WL 11495273, at *5 (N.D. Ga. Jan. 10, 2017). A plan of distribution will pass muster so long as “it has a ‘reasonable, rational basis,’ particularly if ‘experienced and competent’ class counsel support it.” McLaughlin On Class Actions, § 6.23 (17th ed. 2020); *see also Schwartz v. TXU Corp.*, 2005 WL 3148350, at *21 (N.D. Tex. Nov. 8, 2005) (approving a plan of allocation that “resulted in a settlement agreement that fairly and rationally allocates the proceeds of the settlement”).

Not surprisingly, the Bradley Objectors assert that a larger proportion of the Settlement Funds for the Self-Funded Claimants should have been negotiated. There are two problems with this argument. First, the Bradley Objectors have failed to credibly show that they would have been able to have successfully done so. Second, and more fatally, this argument does not address the relevant inquiry: whether the distribution plan is fair, adequate, and reasonable. It is.

²² Whether any particular claim has an identical factual predicate and/or falls within the scope of the release is of course merely hypothetical, and currently unanswerable. Until a particular claim is asserted, comment by the court would likely be an inappropriate advisory opinion. If the court is presented with such a claim, it will be in a position to make an appropriate determination.

The Plan distinguishes between Fully Insured Claimants, who purchased insurance from Defendants, on the one hand, and Self-Funded Sub-Class Claimants who purchased only administrative services from Defendants, on the other. Under the Plan, Fully Insured Claimants are allocated 93.5% of the settlement, while Self-Funded Sub-Class Claimants are allocated 6.5%.

The Bradley Objectors argue that “there are indications that the allocation was not negotiated at arm’s length” and “there is nothing in the record to justify an allocation so disproportionate as 93.5% to 6.5%.” (Doc. # 2877 at 5-6). The Bradley Objectors are simply wrong. First and foremost, the Bradley Objectors’ counsel admitted that this was not a collusive settlement. (See Doc. # 2865 at 152 (“I certainly don’t think this is a collusive settlement[.]”)). Second, the record clearly shows that the settlement was negotiated at arm’s length, under the auspices of Ken Feinberg, the country’s leading neutral on allocations of large settlements and compensation funds. (See Doc. # 2610-8). And, there is expert evidence in the record regarding the reasonableness of the allocation. (Docs. # 2812-9; 2825-1).

The economic reasonableness of the allocation was confirmed by Dr. Mason, an experienced antitrust economist. (Doc. # 2825-1). Dr. Mason utilized four proxies to analyze the reasonableness of the allocation. In their argument, the Bradley Objectors targeted only the first of those four proxies – related to the comparative share of the overcharges borne by Fully-Insured and ASO plans. They argue that “the gross difference between fully insured premiums and administrative fees is an unsound basis for the allocation.” (Doc. # 2877 at 8). But, Dr. Mason has noted that this particular proxy -- in which 1.7% of the full amount is allocated to the Self-Funded Sub-Class -- is particularly imprecise. (See 2825-1 ¶ 40 & n.60).

Dr. Mason’s second proxy -- net revenue -- “subtract[s] total claims paid on Fully Insured-Plans from revenue associated with these plans,” so that they are on equal footing with ASO Plans,

resulting in a less than 10.7% allocation to the Self-Funded Sub-Class. (*Id.* ¶ 40). This, in fact, seems to be more or less what the Objectors assert should be the basis for the allocation. Instead of subtracting the claims from Fully-Insured-Plans, they argue that the allocation formula should add in the claims for Self-Funded Plans. (Doc. # 2877 at 25). However, both of these approaches are also imperfect because they “implicitly assume[] the mark-up arising from the exclusionary power of BCBS (the overcharge at issue in this case) is equi-proportional to each dollar of ASO and Fully-Insured Net Revenue.” (Doc. # 2825-1 ¶ 41). This is an improper assumption.

As Dr. Mason has explained, “ASO subscribers purchase from a more competitive market than Fully-Insured subscribers.” (*Id.* ¶ 22). Because of the greater availability of substitute products -- such as third party administrators, the option to administer healthcare plans in-house, and the existence of large national health plan administrators -- the ASO market actually is significantly more competitive. (See Doc. # 2865 at 41-44). Indeed, for some Blues, fully insured business is anywhere from four to ten times more profitable than ASO business. (See Docs. # 2868-1; 2868-2; 2812-12 at 3). For some Blues, ASO business may in fact be break-even or even a loss leader. (See Docs. # 2868-3; 2868-4; 2868-5; 2868-6; 2868-7). The Bradley Objectors overlook these crucial differences between the markets. Surprisingly, their expert believes “the allocation of damages should [not] be based on the relative amounts of overcharges that the two groups of customer[s] paid[.]” (*Id.* at 258).

Overcharges are what this case is about. The differences in the markets -- along with the differences in Class Periods -- mean that the Fully Insured Claimants suffered a much greater antitrust injury. In fact, any overcharge an ASO customer paid on administrative fees was likely offset by savings on claims costs, given this customer’s ability to directly negotiate discounts with provider networks. (Doc. # 2825-1 ¶ 54). Accordingly, Fully Insured Claimants are deserving of a

much greater proportion of the settlement.

Dr. Mason's remaining proxies -- operating gain differential, which indicates a settlement allocation for ASOs of <3.9-6.3%; and revenue per member growth, which indicates a settlement allocation for ASOs of 3.4-3.8% -- reflect the relative profitability of the ASO and fully-insured business. (*See id.* ¶¶ 42-49). Notably, the Self-Funded Objectors do not address these proxies in their arguments. These unchallenged proxies support a finding that a 6.5% allocation for the Self-Funded Class is fair, adequate, and reasonable.

For all of these reasons, the Bradley Objectors' objection regarding the allocation between the Fully-Insured and Self-Funded Classes is **OVERRULED**.

E. Whether the Self-Funded class period should go back to 2008

The next questions to be addressed involve whether the allocation is justified by the different time periods for the classes and the uncertainty regarding litigation outcomes. (*Id.* ¶¶ 30 n.49; 33-35).

The Fully Insured Class Period spans twelve and one-half years while the Self-Funded Class spans five years.²³ Because ASOs did not become involved in the lawsuit until late 2019, they did not face the same litigation expenses, burdens, and perils as the rest of the Class. Even more, they clearly benefitted from the work the Fully Insured counsel had performed for all those years. Accordingly, a discount factor is appropriate in determining the two groups' respective portions of the settlement to reflect "the expected amount of time that would elapse before a litigation or settlement payment is made[,] as well as the risk associated with that payment." (*Id.* ¶ 35). Here, a "conservative" discount factor would be no less than 50%. (*Id.*). Dr. Mason applied

²³ "'Settlement Class Period' means February 7, 2008, through the Execution Date, except for the Self-Funded Accounts, for whom the Settlement Class Period is September 1, 2015 through the Execution Date." (Doc. # 2610-2 ¶ 1(nnnn)).

this 50% discount to each of his proxies. (*Id.* ¶¶ 39, 40, 43, 48). The Bradley Objectors argue this discount factor is unfair because he applied no discount to the Fully Insured Class. That argument misses the point. As Dr. Mason explained at the Fairness Hearing, “[t]o put things on an apples-to-apples basis, we have to discount what [the Self-Funded Class is] getting for starting eight years later.” (Doc. # 2865 at 204). The court agrees.

The Bradley Objectors also question whether the ASO Class Period should go back further in time. They argue they should get the benefit of the 2012 filing date in *Cerven, et al. v. BCBS-NC*, No. 2:12-cv-04169, as the starting point of their class period. (See Docs. # 2812-19 at 91-96; 2845 at 3-10). As an initial matter, it is worth noting that Self-Funded Accounts only became involved in this MDL in July 2019 (Doc. # 2610 ¶ 31), yet their claims get the benefit of a class period going back to September 2015.²⁴

But in any event, and even more fundamentally, the Bradley Objectors misconstrue the *Cerven* complaint. The proposed damages class in the *Cerven* complaint was:

All persons or entities who, from February 7, 2008 to the present (the “Class Period”) have paid *health insurance premiums* to BCBS-NC for individual or small group full-service commercial health insurance.

(*Cerven* Doc. # 1 ¶ 21 (emphasis added)). The *Cerven* complaint mentions ASOs but only in the context of distinguishing them from the proposed class and explaining that “fully-insured health insurance products and ASO products are only substitutes for those consumers able to self-insure[.]” (*Id.* ¶ 129). Accordingly, as the *Cerven* complaint makes clear, “it is appropriate to consider the individual and small group health insurance product market as distinct from the large group health insurance product market” because of, among other things, “the prevalence of ASOs in each market.” (*Id.* ¶ 131).

²⁴ Of course, this further illustrates that Feinberg mediated what was plainly a hard-fought series of negotiations.

The *Cerven* complaint plainly did not contemplate ASOs being part of that case or the relevant class.²⁵ “[T]he critical issue in Rule 15(c) determinations is whether the original complaint gave notice to the defendant of the claim now being asserted.” *Davenport v. United States*, 217 F.3d 1341, 1345 n.8 (11th Cir. 2000). The *Cerven* complaint simply gave no notice to Defendants whatsoever that they would have to defend against alleged misconduct in the ASO market. So, ASOs cannot get the benefit of the *Cerven* filing date. See *Cliff v. Payco Gen. Am. Credits, Inc.*, 363 F.3d 1113, 1131 (11th Cir. 2004).

The Bradley Objectors argue there is a further asymmetry in the allocation. They question how the settlement proponents can allow relation-back of damages claims for large insured groups, but not ASOs, despite the *Cerven* proposed damages class being limited to individual or small group insurance. Of course, the answer lies in *Cerven*’s proposed injunction class:

All persons or entities in the United States of America who are currently *insured by any health insurance plan* that is currently a party to a license agreement with BCBSA that restricts the ability of that health insurance plan to do business outside of any geographically defined area.

(*Cerven Doc. # 1* ¶ 20 (emphasis added)). The *Cerven* injunction class includes all entities, regardless of their size, who are “insured by any health insurance plan.” (*Id.*). Those who are Self-Funded are just that—self-funded. That is, they did not buy insurance from the Blues. Therefore, under a fair reading of the *Cerven* Complaint, ASOs are excluded from both the proposed damages and the injunction classes.

For all of these reasons, the objection that the Self-Funded Class period should go back to 2008 is **OVERRULED**.

²⁵ Nor did the ASOs themselves—not a single Self-Funded Account sought to file suit during the eight years between the *Cerven* complaint and the settlement.

F. Whether the QNA Definition is too narrow or the requirements to obtain a Second Blue Bid are unreasonable

Under the proposed Settlement, Self-Funded Accounts that are determined to be Qualified National Accounts and are headquartered in an area with a single Blue licensee are entitled to request a Second Blue Bid. (Doc. # 2610-2 ¶ 15). QNAs are identified by listing the self-funded single-employer entities with at least 5,000 employees that have the highest Dispersion Percentages or are located in areas with two Blue licensees, until the number of Members covered by those entities reaches 33 million. This is 31% of Members of all Self-Funded Accounts, regardless of carrier. (*Id.* ¶ 1(u), (z), (cccc), (ffff)). The composition of the QNA list is not fixed immutably, but is subject to review and modification every two years.

General Motors challenges the Second Blue Bid criteria, arguing that the criteria are “arbitrary” and “treat[] class members differently (by allowing only a minority of them to solicit a Second Blue Bid).” (Doc. # 2874 at 2). Three other groups of Objectors complain that the QNA definition is limited to “employers,” and thereby unfairly excludes certain multi-employer plans (here, “Taft-Hartley plans”) and church groups, which collectively buy ASO contracts. These objections miss the mark.

Rule 23(e)(2)(D) provides that one of the elements to consider in determining whether a proposed settlement is “fair, reasonable, and adequate” is whether, taken together and evaluated in its entirety, “the proposal treats class members *equitably* relative to each other.” Rule 23(e)(2) & (D) (emphasis added). “Higher allocations to certain parties” need only be “based rationally on legitimate considerations.” *Pedraza v. United Guar. Corp.*, 2001 WL 37071199, *7 (S.D. Ga. June 22, 2001). In the Eleventh Circuit, “there is no rule that settlements benefit all class members equally” so long as any differences are “rationally based on legitimate considerations.” *Holmes v.*

Continental Can, 706 F.2d 1144, 1148 (11th Cir. 1983) (citing *Kincade v. General Tire & Rubber Co.*, 635 F.2d 501, 506 n. 5 (5th Cir. 1981)).

First, these Objectors overlook the context of the settlement, in particular the effect of the elimination of the NBE Rule. The NBE Rule previously placed limits on the business a Blue Plan could do under its non-Blue brands. By eliminating the NBE rule, accounts are now potentially able to receive bids from every Blue Plan in the country—*i.e.*, a Blue-branded bid from the local Blue Plan, and unconstrained Green bids from any other Plan. Moreover, some employers are already headquartered in areas with more than one Blue licensee and so while they may be excluded from receiving a Second Blue Bid under the Settlement, they are already eligible to receive two Blue bids, which meaningfully differentiates them from employers in areas with a single licensee. The Second Blue Bid relief appropriately reflects this difference.

It is also important to note that the Settlement Agreement is a compromise. This portion of it was designed to direct the Second Blue Bid relief to truly national, dispersed employers that have the fewest insurance options when (or if) they choose to contract with a single insurer for national coverage (*e.g.*, United, Cigna, Aetna, or a Blue Plan). In contrast, less dispersed (*i.e.*, more regional) accounts typically have the same national options, plus numerous regional carrier options (*e.g.*, Kaiser Permanente, PacificSource, SelectHealth, and Tufts Health Plan). (Doc. # 2813 at 27).

An employer's Dispersion Percentage is the percentage of its employees located outside the Blue service area containing the employer's headquarters, and is determined by Dun & Bradstreet, a neutral, third-party source. (Doc. # 2610-2 ¶ 1(w)). Prioritizing the employers with the highest Dispersion Percentages for Second Blue Bid relief directly targets employers with a significant portion of their employees in multiple Blue Plans' service areas, for whom regional

carriers may not be realistic options, and who therefore will benefit most from a Second Blue Bid. (Doc. # 2813 at 28). The Second Blue Bid criteria reflect the different competitive circumstances for these accounts and recognize both the relative strength of accounts' claims and which accounts are most likely to benefit from the relief. These considerations are rational and legitimate.

Moreover, the QNA definition is reasonably limited to employers, excluding Taft Hartley Plans and other multi-employer plans. The exclusion of these multi-employer plans is equitable because these groups have options to purchase insurance as single employers from state and regional insurers, a choice not typically available to QNAs as defined by the parties' Agreement. These multi-employer plans have already increased their bargaining power by aggregating their insurance purchases. Each of these employers could comfortably buy health care coverage in its own name and within its own, more competitive market than the market available to QNAs. Each of these considerations, which the parties plainly considered in "drawing lines," are rational and legitimate.

Accordingly, the objections asserting that the QNA definition is too narrow or that the requirements to obtain a Second Blue Bid are unreasonable are **OVERRULED**.

G. Whether the Local Best Efforts Rule should be left intact

In 1994, the Association and the Blues adopted the Local Best Efforts Rule. (Docs. # 2063 at 17-18; 1349-15 at 20-21; 1349-16 at 7). Under the original Blues' LBE, at least 80% of a Plan's annual health revenue from within its designated service area must be derived from services offered under the Blue Marks. (*Id.*). The LBE applies only to health revenue "attributable to health care plans and related services and hospital services . . . offered within the designated Service Area." (Docs. 2063 at 17-18; 1350-10 at 4).

Certain objectors have expressed concern regarding the fact that the LBE was left in place "unchanged." (See Doc. # 2812-19 at 34-35) ("The settlement agreement leaves unchanged the

Local Best Efforts rules.”)). First, the objectors are incorrect in asserting that the LBE is “unchanged.” To the contrary, the Settlement Agreement provides that compliance with the LBE going forward will be measured at the state level instead of the service area level. (Doc. # 2610-2 at 31, ¶ 11). Second, even keeping the LBE in place in that modified form, the elimination of NBE has now set the stage for each Blue Plan to have the unfettered ability to use Green marks to compete with other Blues outside of its ESA. The only limit left in place relates to how much Green business a Blue can do within its own state (*i.e.*, in competition with its own Blue business).

Objectors assume, without pointing to any evidence that, absent LBE, a Blue Plan would offer “Green competitive bids” to national accounts in their own service areas (*i.e.*, they would compete against themselves with Green business). (Doc. # 2812-19 at 34). However, this assumption simply ignores the convincing evidence presented by the Blues’ expert, Dr. Kevin M. Murphy, the George J. Stigler Distinguished Service Professor of Economics in the Booth School of Business and the Department of Economics at the University of Chicago. (Doc. # 2565-49 at 8). According to Dr. Murphy, as an economic matter, profit-maximizing firms do not compete with themselves. (*Id.* at 100). Moreover, under LBE, all Blues remain free to offer a competitive Green bid in every other Blue Plan’s service area.

The court notes that Subscribers took extensive discovery and conducted substantial expert analysis on the LBE rule. After doing so, they negotiated the changes noted above. In its current form, the LBE allows virtually unlimited Green competition by any Blue Plan that is a competitor or potential competitor. The court concludes that, post-settlement, the LBE rule is reasonably tailored to encourage investment in the Blue Marks in each Blue Plan’s local market. This is actually pro-competitive because that approach will inure to the benefit of the customer.

Therefore, the objection regarding keeping LBE in place is **OVERRULED**.

H. Whether Tribal-related entities should be part of the Settlement

The Prairie Island Indian Community filed an objection on behalf of three health care plans: (1) Prairie Island Indian Community Self-Funded Group Medical Benefits Plan for Community Members and their Eligible Dependents; (2) Treasure Island Resort & Casino Exclusive Health Care Plan; and (3) Treasure Island Resort & Casino Preferred Provider Organization Health Care Plan. (Doc. # 2812-20 at 84-86). Prairie Island argues that the Settlement and related communications are unclear about whether these plans are within the Self-Funded Damages Sub-Class or are excluded as a Government Account. (*Id.*).

Under the Settlement Agreement, “Government Accounts” are excluded from the Settlement Damages Class.

hh. “Government Account” means only a state, a county, a municipality, an unincorporated association performing municipal functions, a Native American tribe, or the federal government (including the Federal Employee Program). A Government Account includes all Members of the Government Account. No other entity that is not a state, county, municipality, unincorporated association performing municipal functions, Native American tribe or the federal government is a Government Account, unless it is required by law to provide any health care coverage it makes available to Members only under, or as a participant in, a Commercial Health Benefit Product approved, selected, procured, sponsored or purchased by a Government Account. Entities that are not Government Accounts (e.g., utility companies, school districts, government-funded hospitals, public retiree benefit plans, public libraries, port authorities, transportation authorities, waste disposal districts, police departments, fire departments) will receive notice and an opportunity to submit a claim form to the extent they are otherwise within the definition of the Damages Class.

(Doc. # 2610-2 at 12-13, & 1(hh)).

At the Fairness Hearing, Subscribers’ Counsel explained that they:

negotiated with the Blues to ensure that government-like entities are treated like the government and that if they are not, if they’re truly operating on their own and only quasi-governmental and purchasing insurance on their own, not under the mandate of a government entity, then they are participants in the class and would have gotten notice and could submit a claim.

(Doc. # 2865 at 271). Blues’ Counsel further explained that,

Prairie Island Indian Community, doing business as Treasure Island Resorts and Casinos, is included in the class and should have received notice and they should file a claim if they have one.

(*Id.* at 277). Moreover, despite Prairie Island's confusion about whether the Casino Plans were part of the Self-Funded Sub-Class, it was the only one of five hundred seventy-four Tribes to file such an objection.

The court is satisfied that the Settlement Agreement is clear enough that 573 of 574 Indian Tribes recognized that commercial entities related to Indian tribes are not considered to be Government Accounts, but the Tribe itself is within the definition of Government Account. (Doc. # 2610-2 at 12-13, & 1(hh)). Moreover, those entities would have received Notice under the Settlement.

Accordingly, Prairie Island Indian Community's objection is **OVERRULED**.

I. Whether Attorney Fees are Too High

Fifteen objectors have expressed their opinion that the attorneys' fees sought by Subscribers' Counsel are too high.²⁶ (Docs. # 2812-19; 2812-20; 2812-21; 2812-22). One such objector, David Behanna, presented argument on his objection at the Fairness Hearing. Behanna made the following arguments: (1) Subscribers' counsel's fees should be limited to the lodestar²⁷ because the Sherman Act is a fee shifting statute, and (2) this is not a common fund case. (Doc. # 2812 at 104-117). The court disagrees.

²⁶ None of these objections specifically take issue with reimbursement of counsels' expenses.

²⁷ Under the lodestar method, a district court determines the number of hours worked by plaintiffs' counsel, multiplies those hours by a reasonable hourly rate, and then adjusts the final amount upward or downward based on various factors. *Camden I Condo. Ass'n v. Dunkle*, 946 F.2d 768, 772 (11th Cir. 1991).

1. The Subscriber Settlement Created a Common Fund

“It is well established that when a representative party has created a ‘common fund’ for or has conferred a ‘substantial benefit’ upon an identifiable class, its counsel is entitled to attorneys’ fees based upon the benefit obtained.” *Dorado v. Bank of Am., N.A.*, 2017 WL 5241042, at *7 (S.D. Fla. Mar. 24, 2017). To be sure, the Supreme Court in *Boeing Co. v. Van Gemert*, 444 U.S. 472 (1980) has made clear that a “lawyer who recovers a common fund for the benefit of persons other than ... his client is entitled to a reasonable attorney’s fee from the fund as a whole.” *Boeing*, 444 U.S. at 478; see *Amorin v. Taishan Gypsum Co., Ltd.*, 2021 WL 2349920, at *3 (11th Cir. June 9, 2021) (“[I]n complex litigation, courts have broad managerial power that includes significant discretion in awarding fees”); see also *Camden I Condominium Ass’n*, 946 F.2d at 774 (establishing rule in Eleventh Circuit that percentage-of-fund approach rather than lodestar would apply in common fund cases); *In re Domestic Air Transp. Antitrust Litig.*, 148 F.R.D. 297, 325 (N.D. Ga. 1993) (awarding attorneys’ fees as a percentage of a common fund in a Sherman Act case). Here, the Subscriber Settlement produced a substantial monetary award and significant injunctive relief for the class. More specifically, the Settlement created a common fund of \$2,670,000,000. It also provides transformative, pro-competitive injunctive relief that will benefit the members of the Subscriber Class.

“[C]ommon benefit fees—grounded in the courts’ equity power—need not satisfy rigid eligibility requirements.” *Amorin*, 2021 WL 2349920, at *3 (citing *In re Air Crash Disaster at Fla. Everglades on Dec. 29, 1972*, 549 F.2d 1006, 1019 (5th Cir. 1977)). “[T]he key distinction between common-fund and fee-shifting cases is whether the attorney’s fees are paid by the client (as in common-fund cases) or by the party (as in fee-shifting cases).” *Id.* (citing *In re Home Depot Inc.*, 931 F.3d at 1089). “[T]he ‘broad grant of authority’ awarded to trial courts when consolidating

cases [such as in an MDL] necessarily includes the ability to compensate appointed counsel that carry ‘significant duties and responsibilities.’” *Id.* (citing *Fla. Everglades*, 549 F.2d at 1013-14, 1016). Here, Subscribers’ Counsel seek attorneys’ fees from the \$2,670,000,000 common fund they negotiated for the Class, without regard to the value of the injunctive relief they also secured.

An objector in *In re Equifax* made a similar argument to the one advanced here. That objector argued that the court should apply the lodestar method rather than the percentage method because there is a statutory fee-shifting provision. 999 F.3d at 1279. However, as the district court noted in considering that argument, “[t]he Supreme Court has never categorically prohibited the percentage method in common fund cases.” *Id.* The Eleventh Circuit agreed, holding that “[w]ithout a categorical prohibition on the percentage method in common fund settlement cases, *Camden I* and the percentage method remain the law in this Circuit.”²⁸ *Id.* at 1280. Through their efforts in resolving this case, Subscribers’ Counsel created a common fund. That is an unassailable fact. Therefore, a percentage fee is appropriate.

2. The Appropriate Percentage Fee Award

“[A]ttorneys’ fees awarded from a common fund shall be based upon a reasonable percentage of the fund established for the benefit of the class.” *Camden I*, 946 F.2d at 774. The fee sought by Subscribers’ Counsel, 23.47%²⁹ of the Common Fund, is at or below the percentage fee

²⁸ Recently, in *Muransky v. Godiva Chocolatier, Inc.*, a panel of the Eleventh Circuit specified that “[t]he common-fund doctrine applies to class settlements that result in a common fund even when class counsel could have pursued attorney’s fees under a fee-shifting statute.” 922 F.3d 1175, 1195 (11th Cir. 2019) (citing *Staton v. Boeing Co.*, 327 F.3d 938, 968-69 (9th Cir. 2003); *Florin v. Nationsbank of Ga.*, 34 F.3d 560, 563 (7th Cir. 1994)). Although the *Muransky* decision was later vacated, 939 F.3d 1278 (11th Cir. 2019), and the matter was reheard *en banc*, 979 F.3d 917 (11th Cir. 2020), the full court found that the representative plaintiff lacked standing to pursue the class claims and, therefore, did not evaluate the fairness of the settlement. See *Muransky*, 979 F.3d at 921. “Because the *en banc* court [in *Muransky*] did not reach the attorneys’ fees issue, the [c]ourt finds the vacated panel decision on this point, and the cases to which it cites, to be persuasive, albeit not binding authority.” *Kuhr v. Mayo Clinic Jacksonville*, 2021 WL 1207878, at *11, n.13 (M.D. Fla. Mar. 30, 2021). Moreover, these cases are consistent with the Eleventh Circuit’s pronouncement that the percentage method should be employed in common fund cases.

²⁹ The requested fees and expenses together amount to 25% of the common fund. However, once the \$40,916,627 in requested expenses is deducted, the requested fees amount to approximately 23.47% of the fund.

typically awarded in similar cases. The “benchmark range” in this Circuit is 20% to 30% of the common fund. *In re Home Depot Inc.*, 931 F.3d at 1076. In fact, numerous decisions have found that a 30% fee is well within the range of a customary fee. *See, e.g., Cty. of Monmouth New Jersey v. Fla. Cancer Specialists, P.L.*, 2020 WL 11272691, at *2 (M.D. Fla. Mar. 17, 2020) (approving award of 30% of the settlement fund in Sherman Act case); *Wave Lengths Hair Salons of Fla., Inc. v. CBL & Assocs. Properties, Inc.*, 2019 WL 13037028, *14 (M.D. Fla. Aug. 22, 2019) (approving a 30% fee); *In re Terazosin Hydrochloride Antitrust Litig.*, 2005 WL 8181045, at *5 (S.D. Fla. Apr. 20, 2005) (awarding 33-1/3% of the gross Settlement Fund in Sherman Act case); *In re Managed Care Litig. Class Plaintiffs v. Aetna*, 2003 WL 22850070 (S.D. Fla. Oct. 24, 2003) (awarding a 35.5% fee). The court therefore finds that the requested attorneys’ fee award of 23.47% of the Common Fund is well within the reasonable range, particularly given the fact the claimed fees do not account for the value of the substantial injunctive relief also secured by the Settlement.

Because the requested fee -- even when including expenses -- does not exceed 25%, the court need not consider the factors set out in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1974),³⁰ to determine the reasonableness of the requested fees. *Faught v. Am. Home Shield Corp.*, 668 F.3d 1233, 1242 (11th Cir. 2011) (“Where the requested fee exceeds 25%, the court is instructed to apply the twelve *Johnson* factors.”). Nevertheless, even if those factors were applied here, that process confirms the requested fee is reasonable.

The Johnson factors include:

(1) the time and labor required; (2) the novelty and difficulty of the questions involved; (3) the skill requisite to perform the legal service properly; (4) the preclusion of other employment by the attorney due to acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or the circumstances; (8) the amount involved and the results

³⁰ *Johnson* was abrogated on other grounds by *Blanchard v. Bergeron*, 489 U.S. 87, 109 (1989).

obtained; (9) the experience, reputation, and ability of the attorneys; (10) the ‘undesirability’ of the case; (11) the nature and the length of the professional relationship with the client; and (12) awards in similar cases.

Camden I, 946 F.2d at 772 n.3. The court evaluates these factors below.

(a) The Settlement has resulted in significant, historic injunctive relief for the class in addition to a substantial monetary award;

(b) This case required an immense amount of time and labor by Subscribers’ Counsel (Doc. # 2733 at 13-33), and is a private enforcement action that challenges practices long overlooked by public agencies;

(c) This case presented a plethora of difficult factual issues, and navigating these thorny questions required substantial discovery and pretrial litigation, including the production of millions of pages of documents, the taking of dozens of depositions, and the prosecution and defense of scores of motions;

(d) This case raised novel and complex legal questions, and unlike other historic antitrust actions, is a private-enforcement action that did not follow on a government investigation;

(e) Subscribers’ Counsel are among the nation’s most experienced and able litigators in the antitrust arena, and they conducted the litigation and worked adeptly to achieve the Settlement with skill, zeal, and expertise;

(f) For many of the Subscriber firms, both large and small, the significant commitment of time and resources that were required to litigate this case undoubtedly precluded them from tackling other cases and/or other work. Through August 15, 2020, Subscribers’ Counsel had already devoted 434,054.6 hours to litigating the complex factual and contested legal questions presented in the Subscriber Actions. Using historic blended billing rates, this work resulted in a lodestar of \$194,226,321.65. These figures do not include the substantial additional time (9,205.2

hours as of May 28, 2021) spent mediating and finalizing the Settlement Agreement after that date; drafting the preliminary approval papers; and preparing for and attending the day-long preliminary approval hearing. Since May 2021, several thousand additional hours have been spent acquiring data from Defendants for notice and claims administration, working with the notice and claims administrator to provide notice to over 100 million class members, answering calls and emails from thousands of class members once notice was disseminated, and preparing for the final approval hearing. (Doc. # 2273-2 at 411-42).

(g) The fee in this case was contingent on obtaining class relief, and Subscribers' Counsel invested their own money in fronting the expenses in this litigation, all in the face of significant risk that they would recover nothing and lose millions and millions of dollars;

(h) Given the enormous commitments of time and resources, as well as the significant risk entailed in developing and litigating this MDL, few attorneys would have been willing to take on this litigation;

(i) The \$2.67 billion Settlement Fund that Subscribers' Counsel negotiated in this case may represent the largest antitrust class action settlement on record (Docs. # 2733-3; 2733-4), and, even more significantly, it is accompanied by historic structural relief which rarely arises out of private enforcement actions;

(j) The amount of attorneys' fees awarded and costs and expenses to be paid from the Settlement Fund are fair, adequate, and reasonable, and consistent with awards in similarly complex cases;

(k) Use of the lodestar cross-check is not required in this Circuit. *In re Home Depot*, 931 F.3d at 1091 n.25; *Waters v. Int'l Precious Metals Corp.*, 190 F.3d 1291, 1298 (11th

Cir. 1999) (“[W]hile we have decided in this circuit that a lodestar calculation is not proper in common fund cases, we *may* refer to that figure for comparison.”); *Wilson v. Everbank*, 2016 WL 457011, at *19 (S.D. Fla. Feb. 3, 2016) (“Under *Camden I*, courts in this Circuit regularly award fees based on a percentage of the recovery without discussing lodestar at all.” (quoting *In re Checking Account Overdraft Litig.*, 830 F. Supp. 2d 1330, 1363 (S.D. Fla. 2011)). Nonetheless, as the expert testimony presented in support of the Fee Motion confirms, a lodestar multiplier of 3.23 that the percentage fee award represents would be fully consistent with the multipliers that courts have found reasonable in similarly complex mega-fund cases. *See, e.g., Ingram v. The Coca-Cola Co.*, 200 F.R.D. 685, 696 (N.D. Ga. 2001) (noting that courts have approved lodestar multipliers greater than five); *Cox v. Cmty. Loans of Am., Inc.*, 2016 WL 9130979, at *3 (M.D. Ga. Oct. 6, 2016) (noting that lodestar multipliers “in large and complicated class actions range from 2.26 to 4.5 while three appears to be the average[.]”). Moreover, the underlying hours used for the lodestar calculation do not include the substantial additional time spent mediating and finalizing the Settlement.

Therefore, the objections asserting that Attorney Fees are too high are **OVERRULED**.

J. Whether the Settlement Monetary Relief is Too Low

Several individual objectors argue (or at least could be construed as arguing) that the \$2.67 billion Settlement Fund is inadequate. Rule 23(e)(2)(C) requires a court to assess the adequacy of relief and, in doing so, to consider “(i) the costs, risks, and delay of trial and appeal; (ii) the effectiveness of any proposed method of distributing relief to the class, including the method of processing class-member claims; (iii) the terms of any proposed award of attorney’s fees, including timing of payment; and (iv) any agreement required to be identified under Rule 23(e)(3).”

The monetary relief provided for in this Settlement falls easily within the range of recoveries deemed reasonable by courts, and represents one of the largest monetary recoveries ever achieved in an antitrust class action settlement. (Docs. # 2733-3 ¶ 63; 2733-4 ¶ 17; 2610-12 ¶ 33). The court previously evaluated each of the Rule 23(e)(2)(C) factors above. (*Supra* § III(B)). Moreover, there is no indication that the Blues would have paid more. The court is well aware of the intensity, length, and tenacity of the parties' negotiations in this matter. This was not just hard-fought litigation, but this matter truly involved collision-course negotiations overseen by an able neutral mediator. Contrary to the objections, the significant monetary relief achieved by the Settlement actually favors final approval.

Accordingly, the objection that the Settlement Monetary Relief is too low is **OVERRULED**.

K. Whether the Self-Funded Sub-Class Counsel had a Conflict

Objector Hutsler argues that a conflict of interest between Subscriber Class Counsel and the Self-Funded Sub-Class has resulted in a settlement agreement that allocates an insufficient portion of the Net Settlement Fund to the Self-Funded Sub-Class. (Doc. # 2812-21 at 61). That argument misses the mark for two reasons. First, the court has already addressed the reasonableness of the allocation. (*Supra* §§ II(E), III(B)(1), III(B)(4)). Second, Hutsler's argument is premised on a misunderstanding of the timing and procedural history of the mediation process that occurred in this case.

During their negotiations in July 2019, while mediation was ongoing, Subscriber Plaintiffs and the Blues recognized the need for a sub-class of Self-Funded Accounts and their employees. Subscriber Plaintiffs thereafter coordinated the recruitment of separate class counsel for that sub-class and a class representative. (Doc. # 2610-6 ¶ 31). Subscriber Plaintiffs approached Warren

Burns of Burns Charest LLP to inquire about serving as counsel for a sub-class of Self-Funded Accounts and their employees. Burns agreed, and was retained by Hibbett Sports, Inc., an Alabama-based, publicly-traded retailer of sporting goods that is a Self-Funded Account. Burns became settlement counsel to the putative Self-Funded Sub-Class, with Hibbett as the Self-Funded Sub-Class Representative. (*Id.*). The potential split of the Net Settlement Fund between fully insured and self-funded claimants was not a condition of Burns's retention, and a split was never discussed before Burns was engaged. (*Id.*).

Self-Funded Sub-Class Counsel asked for and received access to the voluminous discovery record in the litigation, along with relevant briefing on class certification and summary judgment. In turn, they engaged independent experts to analyze possible damages claims on behalf of the Self-Funded Sub-Class. In September 2019, Self-Funded Sub-Class Counsel began attending mediation sessions. Over the next several months, the parties worked to develop a written settlement agreement. This process involved numerous additional conferences and intense negotiations between the parties, including the Self-Funded Sub-Class. (*Id.* ¶ 32).

Following those negotiations with the Blues, Subscriber Plaintiffs and Self-Funded Sub-Class Counsel engaged Feinberg as an Allocation Mediator to facilitate the determination of an appropriate allocation. The economic reasonableness of the agreed-upon allocation was thereafter examined and confirmed by Dr. Mason, an experienced antitrust economist. (Doc. # 2825-1).

Because the Self-Funded Sub-Class was separately represented by competent counsel, there was expert review of the settlement allocation, the negotiations and agreement about the allocation were in good faith, and the allocation is reasonable given the unique circumstances of this litigation, the objection that Sub-Class Counsel had a conflict is **OVERRULED**.

L. The Department of Labor's ERISA Concerns

The Department of Labor (“DOL”) has not objected to the proposed Subscriber Settlement, nor has it actually opposed the Settlement. Rather, the DOL has expressed concerns about the Settlement to both the Settlement Proponents and the court. The DOL issued a letter to the Settlement Proponents, and filed a Statement of Interest with the court. Additionally, at its request, the court allowed the DOL to present argument regarding its concerns at the Fairness Hearing. (Docs. # 2863; 2866).

At the Fairness Hearing, it became clear that the DOL was concerned with various hypothetical questions about whether this settlement affects any duties employers or plan fiduciaries might have under the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. § 1001 *et. seq.* (Doc. # 2866). However, as the Settlement Proponents have made clear, (1) ERISA plan rights are not affected by the Settlement and, further, (2) the Settlement Agreement does not release any claims that an ERISA plan may have against an employer. (*Id.* at 23, 26, 38). To be clear, all ERISA duties still apply, all ERISA fiduciaries must comply with those duties, and this Settlement does nothing to change or alter ERISA rights. To the extent an ERISA plan does not approve of what an employer does with Settlement proceeds, the plan's right to sue the employer under ERISA is wholly unaffected by this Settlement. (*Id.* at 23).

The DOL expressed concern that Class-member ERISA plans appear to be inadequately represented in the proposed Settlement. However, several Class Representatives are both employers (plan sponsors) and their plans' named fiduciaries—*e.g.*, CB Roofing; Consumer Financial Education Foundation of America, Inc.; Gaston CPA; Pete Moore Chevrolet; Pettus Plumbing; and Hibbett Sports, Inc. The Class Representatives also include employees who were participants covered by their employer-sponsored ERISA plans. The employer Class

Representatives understand that they have obligations under ERISA, and that nothing in the Settlement relieves them of those obligations.

The DOL also expressed concern that the proposed Settlement does not address the possibility of double recovery. That is incorrect. The claims process relies on data based on each claimant and each health benefit plan or ASO contract. If more than one claimant attempts to make a claim pointing to the same data (for the same payments on the same policy or ASO contract), that will automatically be flagged by JND as a conflict for resolution. The potential conflict will be readily apparent, making it easy for JND to identify and for JND (or the Settlement Administrator) to resolve, avoiding any risk of double recovery. The Settlement Administrator would decide any claims by ERISA plans and employers over the same payments for the same policy or ASO contract.

The DOL expressed another concern about whether the proposed plan of distribution may result in violations of ERISA's trust requirements. However, ERISA recognizes an employer's dual status as both plan sponsor and as plan administrator as permissible (*see* 29 U.S.C. § 1108(c)(3)). Therefore, this concern is not really a concern about the terms of the Settlement, but rather a concern that an employer sponsor may breach its duties under ERISA by participating in the Settlement. Again, nothing in the Settlement relieves plan fiduciaries of their ERISA obligations.

The DOL also raised its concern that, in some circumstances, the proposed settlement's release of claims (plan assets) may also involve prohibited transactions for which an exemption is required. However, as the Third Circuit recently explained, the Supreme Court's decision in *Lockheed Corp. v. Spink*, 517 U.S. 882, 893 (1996), identified the "common thread" to each prohibited transaction in § 406(a)(1) as being "a special risk to the plan from a transaction

presumably not at arm's length.” *Sweda v. Univ. of Pennsylvania*, 923 F.3d 320, 338 (3d Cir. 2019). Here, the Settlement was most certainly reached at arm's length, and thus does not contain the “common thread” of a prohibited transaction.

The DOL also questioned whether prohibited transactions are likely to occur under the Settlement, which do not appear to be covered by Prohibited Transaction Exemption (“PTE”) 2003-39. First, even if the Settlement were covered by § 406(a)(1), it would satisfy the exemption from the prohibition set forth in DOL's PTE 2003-39: there is a genuine controversy involving the plans; any fiduciary approving the Settlement is independent of the Settling Defendants; the Settlement is the result of arm's length negotiations and is reasonable; the Settlement is not designed to benefit the Settling Defendants (and in fact requires them to make significant monetary contributions and structural changes to the benefit of the Settlement Classes); the terms of the Settlement are contained in a written settlement agreement; and no commissions are being paid in connection with the Settlement. *See* PTE 2003-39, § II(a)-(j); 68 Fed. Reg. at 75635. Moreover, the absence of any conflict of interest and the court's extensive review and approval of the Settlement should eliminate any concerns regarding conflicts.

The DOL asks whether the proposed Settlement's release is overbroad. However, there is no blanket release of ERISA claims. Indeed, the Settlement and release make clear that ERISA claims unrelated to the issues raised in this litigation are not released. To be sure, the parties added language that expressly excludes ERISA and related benefit claims from the Settlement's releases. *See* Doc. 2610-2 at & 1(uuu).

Finally, the DOL expressed concern that the proposed Settlement does not take into consideration the Secretary's guidance on allocating distributions from insurers to plans, employer sponsors, and plan participants. However, these funds are not plan assets at the time of their

distribution. The DOL’s real concern appears to be with what an employer may do with settlement proceeds after distribution of the Settlement Fund. The simple answer is that employers and ERISA plans are responsible for complying with applicable ERISA and DOL guidance, and nothing in the Settlement or the Plan of Distribution relieves them of those obligations.

For the foregoing reasons, the DOL’s objections are **OVERRULED**.

M. Shiyang Huang’s Objection

Shiyang Huang is neither a lawyer nor a professional objector. However, in *In re Equifax*, he objected to the settlement, and argued that Plaintiffs lacked Article III standing to bring their claims. *In re Equifax*, 999 F.3d at 1261. The court rejected Huang’s contentions. *Id.* at 1261-64.

Here, Huang argues that the court cannot approve the Subscribers’ Settlement because the court lacks Article III subject-matter jurisdiction to provide injunctive relief for those class members without a “real” or “immediate” risk of future harm. (Doc # 2833). Huang’s objections fail for two reasons: (1) ironically, he lacks standing to assert them and (2) his objections are without merit.

Huang timely opted out of the Subscribers’ Settlement damages class (Doc. # 2812-6) and never filed a timely objection to the Settlement. (Doc. # 2812-1 at 163-171). One who opts out of a class settlement lacks standing to object to a settlement. *Aboltin v. Jeunesse LLC*, 2019 WL 1092789, at *2 (M.D. Fla. Feb. 15, 2019); *see also Jones v. United Healthcare Servs., Inc.*, 2016 WL 8738256, at *4 (S.D. Fla. Sept. 22, 2016) (noting that a “successful opt-out” like Huang “cannot also file an objection to the Settlement.”); *see also Zamora v. Lyft, Inc.*, 2018 WL 5819511, at *1 (N.D. Cal. Nov. 6, 2018) (noting that a class member “cannot both object and opt out under the terms of the settlement”). “[I]t is well established that class members may either object or opt out, but they cannot do both.” *Carter v. Forjas Taurus S.A.*, 2016 WL 3982489, at *13 (S.D. Fla.

July 22, 2016) (quoting *Newberg on Class Actions* § 13.23 (5th ed.) (“Class members who opt out of the class . . . are no longer considered class members, and hence Rule 23 does not give them standing to object to the settlement.”)).

But, even putting aside that defect, Huang’s arguments are off the mark. As this court has already held, “Subscriber Plaintiffs easily satisfy the necessary elements of standing.” *In re Blue Cross Blue Shield Antitrust Litig.*, 2020 WL 8256366, at *8 (N.D. Ala. Nov. 30, 2020). Here, the purpose of the injunctive relief sought pursuant to the Settlement is to remedy ongoing, actual harm.

Therefore, Huang’s objection is **OVERRULED**.

N. Overruling of Objections

The court hereby **OVERRULES** all remaining objections to the Settlement Agreement and finally **APPROVES** the Settlement Agreement in all respects, and **FINDS** that the Settlement Agreement is fair, reasonable, and adequate, and is in the best interest of the Class Members.

V. Conclusion

“Public policy strongly favors the pretrial settlement of class action lawsuits.” *Swaney*, 2020 WL 3064945, at *3 (quoting *In re U.S. Oil & Gas Litig.*, 967 F.2d at 493). Having carefully considered the Motion for Final Approval of Proposed Class Settlement Agreement, the Settlement Agreement, the Proposed Plan of Distribution and Proposed Notice Plan, the Objections, all briefing and argument thereon, as well as all matters of record, the court finds that the proposed Settlement Agreement is sufficiently fair, reasonable, and adequate to be approved.

For all these reasons, Subscriber Plaintiffs’ Motion for Final Approval of Class Settlement and Appointment of Settlement Administrator. (Doc. # 2812) is **GRANTED**.

APPROVAL OF THE SETTLEMENT AGREEMENT

It is further **ORDERED** as follows:

1. Having reviewed and considered the Settlement Agreement, all papers filed and proceedings held in connection with the Settlement, all oral and written comments and objections received regarding the Settlement, and the record in the Action, and for the reasons set forth in detail above, the court **APPROVES** the Settlement Agreement under Rule 23(e)(2). Pursuant to the Settlement Agreement, Settling Defendants have agreed to pay \$2.67 billion to create the Settlement Fund, which will be disbursed to Authorized Claimants of the Damages Class, used to pay Notice and Administration Costs, and for any Fee and Expense Award. The Settlement Agreement also provides significant injunctive relief for the benefit of the Settlement Classes.

2. This court **CONCLUDES** it has subject matter jurisdiction over this Action and personal jurisdiction over the parties and the members of the Settlement Classes described below.

3. This Final Order and Judgment incorporates as if set forth verbatim herein the following documents: (a) the Settlement Agreement; (b) the Notice Plan and Claim Form, which were each approved on November 30, 2020; (c) the Supplemental Notice to Self-Funded Accounts, which was approved on February 4, 2022; and (d) the Plan of Distribution, which was preliminarily approved on November 30, 2020.

Certification of the Settlement Classes

4. Pursuant to Rule 23(a) and 23(b) of the Federal Rules of Civil Procedure, and based on the record before the court, including the submissions in support of the Settlement and objections and responses thereto, the court hereby affirms its forecast in the Preliminary Approval Order and **CERTIFIES** the following Settlement Classes for settlement purposes only:

Damages Class: All Individual Members (excluding dependents and beneficiaries), Insured Groups (including employees, but excluding non-employee

Members), and Self-Funded Accounts (including employees, but excluding non-employee Members) that purchased, were covered by, or were enrolled in a Blue-Branded Commercial Health Benefit Product (unless the person or entity's only Blue-Branded Commercial Health Benefit Product during the Settlement Class Period was a stand-alone vision or dental product) sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan from February 7, 2008 through October 16, 2020 (in the case of all Damages Class members other than the Self-Funded Sub-Class, for whom the Class Period is September 1, 2015 through October 16, 2020).

Self-Funded Sub-Class: All Self-Funded Accounts (including employees, but excluding non-employee Members) that purchased, were covered by, or were enrolled in a Blue-Branded Commercial Health Benefit Product (unless the person or entity's only Blue-Branded Commercial Health Benefit Product during the Settlement Class Period was a stand-alone vision or dental product) sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan from September 1, 2015 through October 16, 2020.

Injunctive Relief Class: All Individual Members, Insured Groups, Self-Funded Accounts, and Members that purchased, were covered by, or were enrolled in a Blue-Branded Commercial Health Benefit Product sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan during the Settlement Class Period (February 7, 2008 through October 16, 2020, except for Self-Funded Accounts for whom the Settlement Class Period is September 1, 2015 through October 16, 2020).

5. Excluded from the Damages Class and the Self-Funded Sub-Class are Government Accounts, Medicare Accounts of any kind, Settling Defendants themselves, and any parent or subsidiary of any Settling Defendant (and their covered or enrolled employees). Also excluded from the Damages Class and the Self-Funded Sub-Class are Opt-Outs, the judge presiding over this matter, and any members of his judicial staff, to the extent such staff were covered by a Commercial Health Benefit Product not purchased by a Government Account during the Settlement Class Period.

6. For purposes of the Damages Class and the Self-Funded Sub-Class, the term "employee" means any current or former employee, officer, director, partner, or proprietor of an entity.

7. The court **FINDS** that the requirements of Rule 23(a) and 23(b) of the Federal Rules of Civil Procedure are satisfied solely for settlement purposes. In particular, the court determines that:

a. Pursuant to Rule 23(a)(1), the Settlement Class members are so numerous that their joinder before the court would be impracticable.

b. Pursuant to Rule 23(a)(2), there are one or more questions of fact or law common to the Settlement Classes.

c. Pursuant to Rule 23(a)(3), Subscriber Plaintiffs' claims are typical of the claims of the Settlement Classes.

d. Pursuant to Rule 23(a)(4), the Class Representatives have fairly and adequately protected the interests of the Settlement Classes. Class Representatives are certified as class representatives on behalf of their Settlement Classes; and the Self-Funded Sub-Class Representative is certified as class representative on behalf of the Self-Funded Sub-Class.

e. Pursuant to Rule 23(b)(2), the Settling Defendants have acted and refused to act on grounds that apply generally to the Injunctive Relief Class, so that final injunctive relief is appropriate respecting the class as a whole.

f. Pursuant to Rule 23(b)(3), common questions of law and fact predominate over questions affecting only individual members.

g. Also pursuant to Rule 23(b)(3), a class action is superior to other available methods for the fair and efficient adjudication of this Action.

Class Counsel and Class Representatives

8. Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, the court **APPOINTS** Hausfeld, LLP and Boies Schiller Flexner, LLP as Settlement Class Counsel for the

Settlement Classes and Burns Charest, LLP as Self-Funded Sub-Class Settlement Counsel for the Self-Funded Sub-Class.

9. The court also **APPOINTS** the following individuals and entities as class representatives:

a. For the Settlement Classes: Galactic Funk Touring, Inc.; American Electric Motor Services, Inc.; CB Roofing, LLC; Pearce, Bevill, Leesburg, Moore, P.C.; Pettus Plumbing & Piping, Inc.; Consumer Financial Education Foundation of America, Inc.; Fort McClellan Credit Union; Rolison Trucking Co., LLC; Conrad Watson Air Conditioning, Inc.; Linda Mills; Frank Curtis; Jennifer Ray Davidson; Pete Moore Chevrolet, Inc.; Jewelers Trade Shop; Saccoccio & Lopez; Angel Foster (*fka* Angel Vardas); Monika Bhuta; Michael E. Stark; G&S Trailer Repair Inc.; Chelsea L. Horner; Montis, Inc.; Renee E. Allie; John G. Thompson; Avantgarde Aviation, Inc.; Hess, Hess & Daniel, P.C.; Betsy Jane Belzer; Bartlett, Inc., d/b/a Energy Savers; Matthew Allan Boyd; Gaston CPA Firm; Rochelle and Brian McGill; Sadler Electric; Jeffrey S. Garner; Amy MacRae; Vaughan Pools, Inc.; Casa Blanca, LLC; Jennifer D. Childress; Clint Johnston; Janeen Goodin; Marla S. Sharp; Erik Barstow; GC/AAA Fences, Inc.; Keith O. Cerven; Teresa M. Cerven; Sirocco, Inc.; Kathryn Scheller; Iron Gate Technology, Inc.; Nancy Thomas; Pioneer Farm Equipment, Inc.; Scott A. Morris; Tony Forsythe; Joel Jameson; Ross Hill; Angie Hill; Kevin Bradberry; Christy Bradberry; Tom Aschenbrenner; Juanita Aschenbrenner; Free State Growers, Inc.; Tom A. Goodman; Jason Goodman; Comet Capital, LLC; Barr, Sternberg, Moss, Lawrence, Silver & Munson, P.C.; Mark Krieger; Deborah Piercy; and Lisa Tomazzoli.

b. For the Self-Funded Sub-Class: Hibbett Sports, Inc.

Notice

10. The court finds that the notice provisions of the Class Action Fairness Act, 28 U.S.C. § 1715, have been satisfied.

11. The court also finds that the dissemination of Notice and Supplemental Notice: (a) was implemented in accordance with the Notice Plan Approval Order; (b) constituted the best notice practicable under the circumstances; (c) constituted notice that was reasonably calculated, under the circumstances, to apprise the Settlement Classes of (i) the pendency of the Action; (ii) the effect of the Settlement Agreement (including the releases to be provided thereunder); (iii) Class Counsel's motion for an award of attorneys' fees and reimbursement of expenses; (iv) the right to object to any aspect of the Settlement, the Plan of Distribution, and/or Class Counsel's motion for attorneys' fees and reimbursement of expenses; (v) the right to opt out of the Damages Class opt out of divisible injunctive relief; and (vi) the right to appear at the Fairness Hearing; (d) constitutes due, adequate, and sufficient notice to all persons and entities entitled to receive notice of the Settlement; and (e) satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure and the United States Constitution (including the Due Process Clause).

Final Approval of the Settlement Agreement

12. Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, the court hereby **GRANTS** final approval of the Settlement Agreement in all respects (including, without limitation: the Settlement Fund amount; the releases; the Injunctive Relief; and the dismissal with prejudice of the claims asserted against Settling Defendants in the Action), and finds that the Settlement Agreement is, in all respects, fair, reasonable, and adequate to the Settlement Classes. In reaching this conclusion, the court has considered the factors set forth in Rule 23(e) as well as the factors set forth in *Bennett*, 737 F.2d at 986. Moreover, the court **CONCLUDES** that:

a. the Settlement Agreement was fairly and honestly negotiated by counsel with significant experience litigating class actions and is the result of vigorous arm's-length negotiations undertaken in good faith and with the assistance of mediators who are experienced and well-regarded mediators of complex cases;

b. the Action involves contested issues of law and fact, such that the value of an immediate monetary recovery, in conjunction with the significant other relief provided pursuant to the Settlement Agreement (including but not limited to the relief described as "Class Injunctive Relief" in Paragraphs 10-21 of the Settlement Agreement), outweighs the mere possibility of any additional future relief after protracted and expensive litigation;

c. success in antitrust cases such as this one is inherently uncertain, and there is no guarantee that continued litigation would yield a superior result (particularly given the costs, risks, and delay of trial and appeal); and

d. there is a substantial basis for Settlement Class Counsel and Self-Funded Sub-Class Settlement Counsel's judgment that the Settlement Agreement is fair, reasonable and adequate.

13. The court **FINDS** the proposed method of distributing relief to the Settlement Classes is adequate, including the method of processing Damages Class member claims.

14. The court **FINDS** the Settlement treats Class Members equitably relative to each other when considering the differences in their claims.

15. The court further **GRANTS** final approval to the Plan of Distribution, which was preliminarily approved by the court on November 30, 2020. The Plan of Distribution was developed and recommended by experienced class counsel with the support of expert economic analysis. The Plan of Distribution represents an efficient and equitable means of distributing the

Net Settlement Fund to the Damages Class in a timely fashion, without overly burdening claimants, and treats members of the Damages Class equitably relative to each other. In particular, the court **FINDS** that the allocation of the Net Settlement Fund among different types of claimants is appropriate, and **FURTHER FINDS** that the Plan of Distribution's use of default contribution percentages to calculate employer-employee allocation of premiums paired with an alternative option for claimants who believe they are entitled to more than the default option is reasonable based on the factors identified in the Plan. The Plan of Distribution's methodology strikes a reasonable balance between precision and efficiency.

Releases

16. Except as to any claim of those Rule 23(b)(3) Opt-Outs identified in Document # 2928 who have validly and timely requested exclusion from the Damages Class and the divisible Second Blue Bid relief, the Action and all claims contained therein, as well as all of the Released Claims against any of the Releasees by Releasors, are each hereby **DISMISSED WITH PREJUDICE**.

17. The Opt-Outs identified in Document # 2928 are **EXCLUDED** from the Damages Class and the divisible Second Blue Bid relief pursuant to properly made exclusion requests. They may not make any claim on or receive any benefit from or under (a) the Settlement Fund, whether monetary or otherwise, or (b) any benefit under Paragraph C(15), the Second Blue Bid portion of the injunctive relief. Nonetheless, the identified Opt-Outs may not pursue any claims released under the Settlement Agreement regarding indivisible relief on behalf of those who are bound by this Final Judgment. For purposes of clarity, if a Self-Funded Account that opted out meets the criteria to request a Second Blue Bid under the terms of the Settlement Agreement, that Self-Funded Account does not release any claims for declaratory or injunctive relief to request a Second

Blue Bid during any time it meets the criteria to request such a bid under the terms of the Settlement Agreement. All other claims for indivisible declaratory or injunctive relief released under the Settlement Agreement are released. Each Settlement Class Member not appearing in Document # 2928 is **BOUND BY THIS FINAL JUDGMENT AND WILL REMAIN FOREVER BOUND**.

18. The releases set forth in Paragraphs 32 and 33 of the Settlement Agreement, together with the Definitions contained in Paragraph 1 of the Settlement Agreement relating thereto, are **EXPRESSLY INCORPORATED** herein in all respects. The releases are effective as of the Effective Date.

19. Upon the Effective Date, the Releasors: (a) **SHALL** be deemed to have, and by operation of the Final Judgment and Order of Dismissal **SHALL** have, fully, finally, and forever released, relinquished, and discharged (i) all Released Claims against any and all of the Releasees, and (ii) any rights to the protections afforded under **California Civil Code §1542** and/or any other similar, comparable, or equivalent laws; and (b) covenant not to sue any Releasee with respect to any Released Claim, and are permanently barred and enjoined from commencing, maintaining, prosecuting, causing, cooperating with, advising to be commenced or maintained, or encouraging any action, suit, proceeding, or claim in any court, tribunal, administrative agency, regulatory body, arbitrator, or other body in any jurisdiction against any Releasee based in whole or in part upon, arising out of, or in any way connected or related to any Released Claim.

20. This Final Order and Judgment **SHALL NOT** affect, in any way, the right of Releasors to pursue claims, if any, outside the scope of the Released Claims.

Monitoring Committee

21. The court **RESERVES** the issue of the makeup of the Monitoring Committee established in the Settlement. The court will appoint the members of the Monitoring Committee by separate order.

Standard of Review

22. The court **FINDS** that its April 5, 2018 Memorandum Opinion Regarding Section 1 Standard of Review and Single Entity Defense (**Doc. # 2063**) and the accompanying Order (**Doc. # 2064**) only apply to the then-in-effect accumulation of restraints actually addressed in the Memorandum Opinion and Order.

Further Matters

23. Nothing in the Settlement Agreement, this Final Order and Judgment, or any and all negotiations, documents, or discussions associated with them, or any proceedings undertaken in accordance with the terms of the Settlement Agreement constitutes (i) an admission or concession by any of the Settling Defendants (or evidence thereof) in any action or proceeding, (ii) evidence of any violation of any statute or law or of any liability or wrongdoing whatsoever by any Settling Defendant, or (iii) evidence of the truth or validity of any of the claims or allegations contained in any complaint or any other pleading that Class Representatives or Class Members have or could have asserted against Settling Defendants, including without limitation that Settling Defendants have engaged in any conduct or practice that violates any antitrust statute, or other law, regulation, or obligation. Settling Defendants expressly deny any wrongdoing or liability whatsoever for any and all such claims and allegations.

24. Without affecting the finality of this Final Order and Judgment in any way, this court hereby **RETAINS** continuing jurisdiction over: (a) implementation of the Settlement

Agreement and any award or distribution of the Settlement Fund, including interest earned thereon; (b) disposition of the Settlement Fund; and (c) all Parties hereto for the purpose of construing, enforcing, and administering the terms of the Settlement Agreement consistent with those terms. Settling Defendants and each Settlement Class Member have submitted to the exclusive jurisdiction of this court for any suit, action, proceeding, or dispute arising out of or relating to the Settlement Agreement or the applicability of the Settlement Agreement (except those arising under Paragraphs 17 and 20 during the Monitoring Period, which are subject to binding arbitration as further described in those Paragraphs) to resolve any disputes or controversies, including but not limited to enforcement regarding Released Claims and Paragraphs 32 and 33 of the Settlement Agreement. Settling Defendants and Settlement Class Members have agreed that, in the event of such dispute, they are and shall be subject to the jurisdiction of this court and that this court is a proper venue and convenient forum.

25. In the event that (a) the Settlement Agreement is rescinded or terminated, (b) the Settlement Agreement does not become effective in accordance with the terms of the Settlement Agreement, (c) the Effective Date does not occur, or (d) the Net Settlement Fund, or any portion thereof, is returned to Settling Defendants in accordance with the Settlement Agreement, then this Final Order and Judgment shall be rendered null and void to the extent provided by and in accordance with the Settlement Agreement and shall be vacated, and, in such event, all orders entered and releases delivered in connection herewith shall be null and void to the extent provided by and in accordance with the Settlement Agreement.

26. In the event the Settlement Agreement does not become final, or is otherwise rescinded or terminated, litigation of the Subscriber Actions against Settling Defendants will resume in a reasonable manner to be approved by the court upon application by the Parties, and

any and all parts of the Settlement Fund caused to be deposited in the Escrow Account (other than Notice and Administration Costs reasonably and actually incurred), along with any income accrued thereon, shall be returned to the entities that paid such amounts into the Escrow Account, in proportion to their respective contributions, within ten (10) calendar days of rescission, termination, or the court's final determination denying final approval of the Agreement and/or any of the Settlement Classes, whichever occurs first.

27. The Parties expressly reserve all of their rights if this Agreement is rescinded or does not otherwise become final.

28. If the Effective Date does not occur with respect to the Settlement Agreement because of the failure of a condition of the Settlement Agreement, the court's assessment of class certification of the Settlement Classes **SHALL** be deemed null and void and the Parties shall retain their rights to seek or to object to certification of this litigation as a class action under Rule 23 of the Federal Rules of Civil Procedure or under any other state or federal rule, statute, law, or provision thereof, and to contest and appeal any grant or denial of certification in this litigation or in any other litigation on any other grounds.

29. The Parties are **DIRECTED** to implement the Settlement Agreement in accordance with its terms once the Settlement Agreement becomes final. Without further order of the court, the Parties may agree to reasonable extensions of time to carry out any of the provisions of the Settlement Agreement.

Dismissal of the Subscriber Actions

30. The Subscriber Actions are hereby **DISMISSED WITH PREJUDICE** and, except as provided for in the Settlement Agreement and any order of this court granting fee, expense, or service awards as contemplated under the Settlement Agreement, without costs. As set out in

Paragraph 16, any dismissal with prejudice shall not apply to unreleased claims of the Opt-Outs identified in Document # 2928.


31. There is no just reason for delay in the entry of this Final Order and Judgment. The dismissed Subscriber Actions are severable from all remaining Provider Actions and immediate entry of this Final Order and Judgment by the Clerk of the Court is expressly directed.

APPOINTMENT OF SETTLEMENT ADMINISTRATOR

In addition to moving for final approval of the Class Settlement, Subscriber Plaintiffs have moved the court to appoint the Honorable Irma E. Gonzalez (Ret.) as the Settlement Administrator. (Doc. # 2812). The Motion (Doc. # 2812) in this regard is **GRANTED**.

The Honorable Irma E. Gonzalez (Ret.) is **APPOINTED** as the Settlement Administrator, with responsibility limited to assisting in the “implementation of the Plan of Distribution and the resolution of any disputes between Settlement Class Members and the Claims Administrator pursuant to the Plan of Distribution, as set forth in the Settlement Agreement.” (Doc. # 2610-2 ¶ 1(iii)). The Settlement Administrator’s fees, as well as all other costs and expenses reasonably incurred and associated with notice and administration, will be paid directly from the Notice and Administration Fund Settlement upon written authorization by Class Counsel, Self-Funded Sub-Class Settlement Counsel, and a designated representative of the Settling Defendants, and such authorization shall not be unreasonably withheld. (Doc. # 2610-2 ¶¶ 26(a), 29).

DONE and **ORDERED** this August 9, 2022.


R. DAVID PROCTOR
 UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION (MDL NO.: 2406)	} } } } }	Master File No.: 2:13-CV-20000-RDP
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**ORDER AWARDING SUBSCRIBER PLAINTIFFS' COUNSEL
ATTORNEYS' FEES AND EXPENSES**

This matter is before the court on Subscriber Counsel's Motion for Approval of Their Attorneys' Fees and Expenses Application. (Doc. # 2733). In the Motion, Subscriber Counsel seek an order: (1) awarding attorneys' fees in the amount of \$626,583,372.10, and (2) awarding reimbursement of costs and expenses in the amount of \$40,916,627.90.

In accordance with the accompanying Order and Judgment Granting Final Approval of Class Action Settlement and Appointing Settlement Administrator, Subscriber Counsel's Motion for Approval of Their Attorneys' Fees and Expenses Application (Doc. # 2733) is **GRANTED**. It is **ORDERED** as follows:

1. This Order incorporates by reference the definitions in the Settlement Agreement dated October 16, 2020 (Doc. # 2610-2) (the "Settlement Agreement") and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Settlement Agreement.

2. The court has jurisdiction to enter this Order, over the subject matter of the Subscriber Actions, and over all parties to the Subscriber Actions, including all Settlement Class Members.

3. Notice of Subscriber Counsel's request for an award of attorneys' fees and of costs and expenses was provided to all Settlement Class Members who could be identified with reasonable effort. The form and method of notifying the Settlement Class of the request for an award of attorneys' fees and expenses satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, due process, and all other applicable law and rules, constituted the best notice practicable under the circumstances, and constituted due and sufficient notice to all persons and entities entitled thereto.

4. Subscriber Counsel are hereby **AWARDED** attorneys' fees in the amount of \$626,583,372.10, representing 23.47% of the Settlement Fund. The court **FINDS** this amount to be fair and reasonable. Subscriber Counsel are **FURTHER AWARDED** \$40,916,627.90 in payment of litigation costs and expenses to be paid from the Settlement Fund, which sum the court finds to be fair, adequately documented, reasonable, and necessary to the representation of the Settlement Class.¹

5. In making this award of attorneys' fees to be paid from the Settlement Fund, the court has applied the percentage of the fund method mandated by the Eleventh Circuit. *Camden I Condominium Ass'n, Inc. v. Dunkle*, 946 F.2d 768, 774 (11th Cir. 1991). The court has found that the attorneys' fee award, which represents less than 23.5 percent of the \$2.67 billion Settlement Fund that has been created for the benefit of the Subscriber Class, falls within the lower half of the "benchmark range" of 20% to 30% established in this Circuit. *In re Home Depot Inc.*, 931 F.3d 1065, 1076 (11th Cir. 2019). Moreover, although not required to do so, the court has cross-checked the fee by examining the factors that the Eleventh Circuit has directed courts to consider when

¹ In accordance with the terms of the Settlement Agreement, approved Subscribers Counsel may apply for up to \$7 million from the Notice and Administration Fund to "reimburse plaintiffs' counsel's actual and reasonable fees and expenses incurred for Notice and Administration." Settlement ¶ 28(h). These costs and expenses will be reimbursed from the Notice and Administration Fund, not the common fund generated for the Class.

evaluating a fee award. *Faught v. American Home Shield Corp.*, 668 F.3d 1233, 1242-43 (11th Cir. 2011). Such a cross-check shows that the award is fully supported by those factors:

(a) The Settlement has resulted in a substantial monetary award and in significant injunctive relief for the class;

(i) The Settlement has created a common fund of \$2,670,000,000 in cash that is to be paid within 30 calendar days of the Effective Date of the Settlement pursuant to the terms of the Settlement Agreement, distributed to authorized claimants in accordance with the Plan of Distribution that has been approved by this court, and which will benefit the members of the Subscribers Class; and

(ii) The Settlement also provides historic, transformative, pro-competitive injunctive and equitable relief that will greatly benefit the members of the Subscribers Class;

(b) The case presented a myriad of difficult factual issues, requiring substantial discovery to resolve, including the production of millions of pages of documents and the taking of scores of depositions;

(c) The case raised novel and complex legal questions;

(d) Through August 15, 2020, Subscribers Counsel had already devoted 434,054.6 hours to litigating the complex factual and contested legal questions presented in the Subscriber Actions, which had resulted in a lodestar of \$194,226,321.65;

(e) Subscriber Counsel are among the most experienced litigators in the country, and they conducted the litigation and worked to achieve the Settlement with skill, zeal, and expertise;

(f) The fee in this case was contingent upon obtaining relief for the Class, and there was a significant risk that Subscriber Counsel would recover nothing;

(g) Given the enormous commitments of time and resources, as well as the significant risk entailed in developing and litigating this case, few attorneys would have been willing to take it on;

(h) This private enforcement action required a substantial commitment of time, personnel, and other resources to this case effectively precluded Subscriber Counsel from other employment;

(i) The amount of attorneys' fees awarded and of costs and expenses to be paid from the Settlement Fund are fair and reasonable and consistent with awards in similarly complex cases; and

(j) Although the use of the lodestar cross-check is not required in this Circuit, *In re Home Depot*, 931 F.3d at 1091 n.25, the court nevertheless undertook that analysis. As the expert testimony presented in support of the Fee Motion confirms, the lodestar multiplier of 3.23 that the award represents would be fully consistent with the multipliers that courts have found reasonable in similarly complex mega-fund cases.

6. In making this \$40,916,627.90 award of litigation costs and expenses to be paid from the Settlement Fund, the court has considered and found that:

(a) The recovery of costs and expenses is authorized by the Settlement Agreement;

(b) Those costs and expenses have been adequately documented and reviewed by the Special Master appointed by the court; and

(c) Those costs and expenses were both reasonable, necessary, and incurred for the benefit of the Settlement Class.

7. Due and adequate notice has been given to the members of the Settlement Class in satisfaction of the requirements of Rules 23(c)(2) and 23(e)(1) of the Federal Rules of Civil

Procedure and Constitutional Due Process, stating that Subscriber Counsel may submit a fee and expense application seeking an award of attorneys' fees plus reimbursement of expenses up to a combined total of 25% of the \$2.67 billion fund, *i.e.*, \$667,500,000, and the court has concluded that no meritorious objections to the requested attorneys' fees and expenses were raised.

8. In early 2022, the court received Special Master Ed Gentle's *in camera* Report, and subsequent Supplement (containing the comments of impacted Counsel), making a recommendation regarding the allocation of the common benefit recovery among Subscriber and ASO Counsel.

a. Special Master Gentle conducted an innovative interview process which allowed each impacted Law Firm to describe for the Special Master what it did to advance the case and how its services might have been unique compared to those of others.

b. The court finds that the approach taken by the Special Master, in (1) compiling the time, capital and expense records that provided the data for the Report, and (2) weighting the data among the lawyers in the Report, was transparent and objective. The objectiveness of this approach was corroborated by the overwhelming support for the Report from impacted Counsel. As one commenter stated,

We want[] to commend the Report. It is obviously the result of careful and thoughtful work of you and your staff. The interview process that you conducted gave voice to the Firms that usually remain unseen in these cases, and it allowed Leadership and your office to probe into a Firm's accomplishments and contributions in order to assess their contributions to the case holistically. The Report was particularly innovative in this regard, and provides a robust record to support the (common benefit) allocation. That is in addition to the prowess of your accounting team that contemporaneously reviewed and audited the time and scores of 70+ law firms from more than 8 years. The proposed allocation is buttressed by both economic and objective support.

c. The court concludes that the allocation recommended in the *in camera* Report is fair and reasonable, and is hereby **APPROVED**.


9. The court takes notice of its previous Orders regarding protocols for Plaintiffs' Counsel time and expense submissions. (Docs. # 80 and 163). With Subscriber and ASO Counsel's duties with respect to this MDL, other than with regard to implementing the Subscriber and ASO Settlement with the Blue Cross Blue Shield Entities, being completed, the court hereby **RELIEVES** Subscribers and ASOs Counsel of any further obligations under these time and expense Orders. The court notes, however, that there will be additional time keeping by Subscriber and ASO Counsel in connection with the Settlement itself. These submissions will be reviewed by the Special Master and the Settlement Proponents.

10. Any appeal or any challenge affecting this court's approval regarding any attorneys' fees and expense application **SHALL** in no way disturb or affect the finality of the Judgment.

11. The court retains exclusive jurisdiction over the parties and the Settlement Class Members for all matters relating to this Settlement, including the administration, interpretation, effectuation or enforcement of this Order.

12. In the event that the Settlement is terminated or the Effective Date of the Settlement otherwise fails to occur, this Order shall be rendered null and void to the extent provided for in the Settlement Agreement.

DONE and **ORDERED** this August 9, 2022.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE